

**LAKE GEORGE VILLAGE PLANNING BOARD MEETING
DECEMBER 19, 2018 – 6:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY**

Board members present: Carol Sullivan (Chair Person), Patricia Dow, Dan Wolfield, Dean Howland, Walt Adams

Board members absent: n/a

Others present: Dan Barusch (Director of Planning and Zoning), Stephanie Fregoe (Clerk), Jon Lapper, Tim Barber, Devin Dickinson, Dennis Quirk, Jennifer Juzaitis, Terri Jamison, Brad Jamison, Claudia Braymer, John Carr, Heath Mundell, Kristine Lufkin, Keith Lanfear, Paul Livingston, Kris Johnson and John Eisenhower and others.

Carol Sullivan called the meeting to order at 6:00pm.

TAX MAP: 264.06-2-14

APPLICANT: TERRI AND BRAD JAMISON

ADDRESS: 30 SEWELL STREET

ZONE: RESIDENTIAL MIXED USE

APPLICATION: SPECIAL USE PERMIT- #1852

Applicant is proposing to use an existing accessory structure/garage for retail use and to operate a design and finishing textile studio and modest showroom for their products. Current building previously operated as an automotive parts store and UPS shipping center. No major changes proposed for exterior of existing building. Special Use approval needed for neighborhood retail use in the residential zoning district. Public hearing required for Special Use Permits and was scheduled by Planning Board at the November meeting.

Carol Sullivan: Start the Planning Board meeting. Today is December 19th. The first applicant in the Jamison's. Which this is public hearing for their Special Use Permit. Are they here? So, I will ask the Board if they have any additional questions for the Jamison application. Patricia?

Patricia Dow: No

Dean Howland: No.

Dan Wolfield: No.

Walt Adams: No.

Carol Sullivan: Hearing none, I will open the public hearing for comment. Anyone here who would like to speak publicly about this application? Ok, hearing none, then we can go onto SEQR Part II.

Dan Barusch: I just want to acknowledge that we received Part I and that this is an unlisted action.

Carol Sullivan: Right. Stephanie you will put that into the minutes.

Stephanie Fregoe: Yes.

(inaudible)

Dan Barusch: You guys are accepting of the Part I that was submitted with the application. Ready whenever you are.

Carol Sullivan: Ok, I will start to read them. One, will the proposed action create a material conflict with an adopted land use plan or zoning regulations? Walt?

Walt Adams: I see no problem there.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: No, no, no, no. Five no's. Also, will the proposed action result in a change in the use or intensity of use of land?

Walt Adams: No.

Patricia Dow: Small change, but not major, in the intensity (inaudible).

Carol Sullivan: No. Dan?

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Will the proposed action impair the character or quality of the existing community?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. Will the proposed action impact existing: a. public / private water supplies?
b. public / private wastewater treatment utilities?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Will the proposed action result in an adverse change to natural resources?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. Will the proposed action create a hazard to environmental resources or human health?

Walt Adams: No.

Patricia Dow: No.

Dan Wolfield: No.

Dean Howland: No.

Carol Sullivan: Five no's. So, does someone want to make a motion for the neg dec?

Patricia Dow: I'll make a motion to approve the negative declaration of the Short Environmental Assessment Form, I'm sorry, for the Jamison property on Sewell Street.

Carol Sullivan: I'll second that. All in favor?

Walt Adams: Aye.

Patricia Dow: Aye.

Dan Wolfield: Aye.

Dean Howland: Aye.

Carol Sullivan: Motion to approve the proposed project at 30 Sewell Street?

Dan Barusch: Motion to close the public hearing first.

Carol Sullivan: Motion to close the public hearing?

Patricia Dow: I'll second.

Carol Sullivan: All in favor?

Walt Adams: Aye.

Patricia Dow: Aye.

Dan Wolfield: Aye.

Dean Howland: Aye.

Carol Sullivan: Ok, so the public hearing is closed and we need a motion to approve the change of use, special use permit at 30 Sewell Street.

Dan Wolfield: I'll make a motion to approve the property at 30 Sewell Street, the special use permit as presented with the hours and times, as presented.

Patricia Dow: I'll second the motion.

Carol Sullivan: All in favor?

Walt Adams: Aye.

Patricia Dow: Aye.

Dan Wolfield: Aye.

Dean Howland: Aye.

Carol Sullivan: Motion carried. Did everyone have a chance to read the letters that came in today?

Dan Barusch: You guys are good to go, just a business license and unless you're doing any changes to the side of the building. Nothing from the County, alright?

TAX MAP: 264.06-2-5

APPLICANT: JAMES D. QUIRK

ADDRESS: 21 SEWELL STREET

ZONE: COMMERCIAL MIXED USE

APPLICATION: SITE PLAN #1845

A public hearing has been requested. Application was tabled from November as Board has requested additional information. Applicant is proposing new construction of a boat storage facility with dimensions of 120' x 100' and is requesting a waiver of the following architectural standards:

§ 220-42 Architectural standards and guidelines.

E. (2)(b) Stories shall not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial function, which shall be a minimum of 12 feet.

F. (2) (d) The following materials shall not be used on any portion of the building:[2] Metal siding.

G. (1) Sloped roofs:(b) Shall include eaves which are at least 18 inches in width.

(d) For gable roofs, the pitch shall be between 6:12 and 14:12.

Carol Sullivan: Ok, moving on to Shoreline boat sales project. This is a carry over from last month. We've gotten some additional information. I'm going to first ask the Board if they have any questions

regarding the additional information that has been submitted or any new questions, and then we will open the public hearing.

Jon Lapper: We have some things to show you, some photo renderings and stuff that was submitted.

Carol Sullivan: Come on up.

Jon Lapper: These are the actual colors. You can pass around.

Carol Sullivan: Ok.

Jon Lapper: So, the Board had asked for this, to super impose the building over what's there now, with the boats and to show why Devin and Dennis Quirk had considered the alternative locations and why it didn't fit. So, we submitted this drawing to show all that. This is pretty helpful to show the setback of the building, compared to the setback of the boats, along both Sewell Street and John Carr's driveway. It's about 24 feet. The area in the corner where there's area for landscaping is included in our plan and it also shows how much closer the boats are to both streets and the property line now, compared to what it would be like with the building, with a landscaped area. And also, the alternate locations where there's just not enough room because of the wetland and setbacks and no room for the door to make the interior activity. That's pretty effective and then an actual planting plan with a decent variety of what's purposed. And then Tim might want to explain this but we got. The windows were dropped down a few feet as Dean had asked for and we got some examples of exactly what the colors and textures of what's there. If you want to just.

Tim Barber: We dropped the window band down to lessen the impact of the blue, two feet. We tried other concepts. It just made the building look too much like a checkerboard. So, we opted to drop the entire window band down and keep with the colors that we passed around. Now those two colors that you have, the lighter colors are one, or the other, kind of a choice. You'll notice they're a matte type finish, they're not glossy. I think it just really fits in well with the whole scheme, with the blue on the bottom, the upper colors are kind of, it'll shrink the building in size. If we were to flip the colors, I don't think that would be healthy choice for this because it will make it appear larger on the top. So, we're staying with that scheme and bringing the window band down. It just balances the whole building and then adding the shake. I don't know if you folks have seen this type product before, but it's a nice product for this type of commercial building. It's very user friendly. It requires very little maintenance, and it's durable and it looks fantastic.

Dean Howland: Is that where the red is right there? What looks like red?

Tim Barber: Yes, these areas here are the cedar shakes. These are windows, those not blue areas. Those are window areas and then the area between the windows are more of a, it's a flat panel, kind of a real light texture, stone type panel. It would be similar, it would be the same color as the upper.

Dean Howland: The upper panels are vertical siding?

Tim Barber: They are, yes.

Dean Howland: And the ones in between the windows are just a flat?

Tim Barber: It would just be flat with a very small, orange peel like texture to it.

Carol Sullivan: So, you're proposing to the Board that one of these would be the top color or not?

Jon Lapper: One's the trim color, right?

Tim Barber: The trim color is white, any of the bordering that you see around the windows and on the eave that's a white. Those two colors there would be the body of the light areas on the top and between the bands of the windows.

Dean Howland: Of the greys?

Tim Barber: Yes. So, we want to give you a couple choices.

Carol Sullivan: Oh, I see. Ok.

Tim Barber: So that the blue is the blue and it's and either or on those. Just to give you two matching colors, that kind of go, that compliment the blue.

Carol Sullivan: Ok.

Dan Wolfield: What are we looking at now?

Tim Barber: That is the Polar, I'm sorry, it's a.

Carol Sullivan: One is a Fox Grey and the other one is Light Stone.

Tim Barber: Yes, the Light Stone. Right now, you're looking at the Light Stone.

Dan Wolfield: The shingle is Light Stone?

Tim Barber: Yes.

Dan Wolfield: What's in the window spots?

Tim Barber: Light Stone.

Dan Wolfield: That's the same color?

Tim Barber: Same color.

Dean Howland: Just a different shade?

Tim Barber: Just a, with the rendering, the different shading and such makes it appear a little different. That's why I wanted to bring colors in to show you. And again, they're matte finishes, they're not glossy. So, it's a nice matte finish and again the band between the windows is an embossed, kind of an orange peel type finish.

(inaudible)

Jon Lapper: We also want to point out that in the rendering, the sign is on top. But as we discussed last time, it can't be more than 15 feet high, so this is what it would actually look like.

(inaudible)

Patricia Dow: And the height of the building at this point, where the sign is, is how much?

Jon Lapper: The eave height is 40 feet, so that's.

Tim Barber: The peak is just under 40 feet so 39.7, 39.8, right where the Shoreline sign is, I would say that's probably about 16-17 feet.

Patricia Dow: 16 or 17 feet? (inaudible)

Tim Barber: To the top of the, oh 15 feet to the top. I was thinking to the window bases.

Dennis Quirk: To this corner here is roughly 36, 35 to 36 feet.

Tim Barber: The eave would be 35-36 feet, correct.

Carol Sullivan: Ok, so the blue is how many feet? 15 feet?

Dennis Quirk: Yes.

Patricia Dow: It can't be.

Dan Wolfield: To the top of the blue, a different question.

Carol Sullivan: From the ground to the top of the blue?

Dennis Quirk: To the top of the sign is probably another foot there. I would say probably 16 feet to the top of the blue roughly.

Carol Sullivan: Ok, so 16 feet. And then the windows are how far?

Tim Barber: That band is approximately four feet.

Carol Sullivan: And to the corner without the peak, you said it's 36 feet?

Tim Barber: 35-36 feet.

Carol Sullivan: Ok, so that's another 15 to 16 feet between each color?

Tim Barber: So, it's balanced right now, proportionally it's.

Carol Sullivan: Since we're looking at this, comments, questions from the Board?

Walt Adams: I don't have any major questions.

Carol Sullivan: So, do we want to move on to the overlay, the area view?

Dan Wolfield: Biggest question is regarding colors. That's your initial question?

Carol Sullivan: Yes.

Dan Wolfield: I have no other questions around the colors.

Carol Sullivan: Are we happy with the building, the way it looks now?

Dean Howland: Yes.

Carol Sullivan: Ok. Let's look at this map. So, one of my questions Dennis, is last week when we were talking, I mentioned to you, if I were standing in front of your current boat sales. To the left of that, I asked if there would be any boats stored outside and you said there would not be.

Dennis Quirk: If you're standing?

Carol Sullivan: So, if you're standing right on the street, right here. What I understood you to say, was that once this building went up, there would be no boat storage here.

Dennis Quirk: So that's a service area and, you know, probably, maybe a few boats for sale. But most of the boats are in storage are going to be in the storage barn. That area is service and sales.

Carol Sullivan: Ok. That area along the back would not be there?

Dennis Quirk: Well they'd be serviced. During the summer time, boats would come out and get serviced. It gets put on a trailer and then it gets put in the water so, there'll be boats there, yes.

Carol Sullivan: But not stored there over the winter?

Dennis Quirk: Not stored over the winter.

Carol Sullivan: Ok, no shrink wrap? No? Ok, that's what I was asking.

Dean Howland: So, Dennis, you said the for-sale boats are going to be closer to the street and not in the working area?

Dennis Quirk: That's correct, yeah. To clarify.

Carol Sullivan: Again, that's in the summer time.

Dennis Quirk: In the winter times, they'll be shrink wrapped in clear upfront. So, I'll have a few boats out there.

Dean Howland: Can you point out exactly where you're talking about? Because I thought you said last time, there wouldn't be any boats stored out there between your service building and the purposed building.

Carol Sullivan: Let's talk about the winter time first.

Dennis Quirk: So, we can say that. So, between the new building and the service building there won't be any boats stored in between there. Just snow removal, to help keep the place clean so.

Carol Sullivan: But in the summer time, there'll be boats out there for repair and there'll be boats for sale?

Dennis Quirk: There will be. There'll be service. That's correct.

Carol Sullivan: Ok.

Dean Howland: Let me ask one more time so, in the winter time there's not going to be any boats in between the purposed new building and the existing one.

Dennis Quirk: There's a few spots in front of my sales building.

Dean Howland: But that's a different.

Dennis Quirk: Between those two, no.

Dean Howland: Between those, just out in front of service.

Dennis Quirk: Correct.

Dean Howland: Ok.

Carol Sullivan: Dan?

Dan Wolfeld: I have a question about the size of the building. Do you want me to go there now?

Carol Sullivan: Let's see what else we got.

Walt Adams: If a boat was too large to fit into the new facility, there's a space someplace you could?

Dennis Quirk: They would put them out back behind the laundromat.

Jon Lapper: Behind the laundromat.

Dean Howland: On the other parcel?

Dennis Quirk: Correct.

Dean Howland: The one that we're not talking about.

Patricia Dow: So how many boats do you estimate you're going to have that will fit into the building? These are boats of what size?

Dennis Quirk: So, I have permit right now to house 200 boats. I recently bought the laundromat which gives me another two acres. So, we're going to increase that to, is there a number?

Devin Dickinson: I think it was like 230 or something total. So, if you figure 100 of those in the building. 100 is the maximum number in the building including the alley way. So, typically what you do, is fill the racks and then you back boats on trailers, any of the bigger boats that need to be inside but don't fit on the racks (inaudible) so that maximum covered in the building is 100 boats.

Patricia Dow: And those boats that go in the building are what size?

Dennis Quirk: Up to 32 foot.

Jon Lapper: Majority of the boats?

Dennis Quirk: Majority of the boats, correct.

Dean Howland: How many racks do you have high?

Dennis Quirk: So, one on the ground and one, two, three.

Dean Howland: Three, ok. (inaudible)

Patricia Dow: So, the 130 boats that you would have the capacity for if you get this approved would go where?

Dennis Quirk: Would go out back, where they are now, basically.

Patricia Dow: So over by the wetlands?

Dennis Quirk: Excuse me?

Patricia Dow: By the wetlands, I mean.

Dennis Quirk: Right, yes.

Carol Sullivan: Where the laundromat is?

Dennis Quirk: Adjacent to the wetlands if you will.

Carol Sullivan: But that is on the laundromat's parcel?

Dennis Quirk: Correct. Right.

Patricia Dow: Ok.

Carol Sullivan: Size of the building?

Dan Wolfield: I have a size question. Thank you for putting up the balloons. I thought that was helpful to see how it fit and where it fit and whatnot. The one spot that I had a concern was when you're coming down Dieskau, at the bottom of Dieskau Street. Now I understand and totally respect the fact that half your property is in the middle of Sewell Street, however when you come down to the bottom of the hill, that building is right there. The other spots, I know on the other corner up where it meets the pass through, by the pub and brewery, I felt it was far enough. I didn't see any major issue there. It's also sunken in because of the raised wall, or whatnot, so you don't really see that raised corner. But that one corner at the bottom of the hill, and I guess the question is, if that was, this is just my feeling, my judgement, if that was five feet further over, and I don't know if it's possible, I think it would open up that space and not feel as overpowering.

Dennis Quirk: Well, first off there's going to be trees there. There's a good, what is it from the road to the building? It's significant.

Dan Wolfield: It's 14 feet.

Dean Howland: It's 14 feet.

Dennis Quirk: When you come down the road, you come right into my driveway. If you were thinking about traffic.

Dan Wolfield: Absolutely.

Dennis Quirk: You're going to have plenty of space.

Dan Wolfield: I'm just looking at the overall impact of that particular spot. Where everywhere else I didn't feel it. And I didn't feel where it was.

Dennis Quirk: I'm actually coming back probably eight feet from where I am now. Where the boats are now, I'm coming back further. (inaudible)

Dan Wolfield: You're going up 35 feet though. You're not just.

Dennis Quirk: So, our dimensions that we have right now, the 100 by 120 are squashed as tight as we could go, so that is our foot print. That's what we were looking to go.

Dan Wolfield: So, it can't be done in 115 feet?

Dennis Quirk: No.

Dan Wolfield: With it pivoted three or four feet?

Dennis Quirk: No, I wouldn't be able to adjust my forklift inside the building.

Dan Wolfield: I don't know if you could pivot it at all, that's all. That's the one spot that's my sticking point. It's that one spot that seems over powering in that particular corner. And it's just because of the way the road sits and has nothing to do with your building or the property line and I understand it's 14 feet and everything else, but in that spot, you're coming down and your staring at a brick wall, is what it feels like.

Dennis Quirk: There's going to be trees out there.

Tim Barber: The landscaping is going to take that away from the lot. Plus, you're back eight to ten feet from where's he's at right now.

Dan Wolfield: Right.

Dean Howland: Let me ask you, for you're thing, on your landscape plan, you've got last tree, westerly tree. Could you plant one more? Just slightly in front of them?

Devin Dickinson: Sure.

Dean Howland: Because it's not in your driveway. Add another one here.

(Inaudible)

Dan Wolfield: Bring a little curve into the corner?

Dennis Quirk: Well I bring the boats in so I need a (inaudible) corner, but I can put it to cover the corner if you will.

Dean Howland: That's what we're saying, whether you come back a little bit on the corner, because you're not talking, if there as close as the other one. (inaudible)

Dennis Quirk: Sure.

Devin Dickinson: We could do that. You could budge one right up against the edge of the pavement there and then.

Dean Howland: Yeah, I think that should probably answer your question basically.

Dan Wolfeld: That might help some. I still think the building above the trees though seems, it's a powerful spot and just, like I said, I'm just talking five feet. It could make difference of pulling up and seeing this, verses it just being a few feet over.

Devin Dickinson: Sure. And to that effect, we did play with the orientation and location of the building a lot. Part of the problem is if you pivoted one corner or the other, it gets closer to the street. So, we balanced it pretty much, it's kind of what we settled on. We kind of tried to tuck it in that corner as much as possible.

Carol Sullivan: Ok, so for the record, the part of the building that's facing Sewell Street is currently showing on the landscape plan six, eight-foot black gum trees, and you are going to add another one? Near the corner, around the corner?

Devin Dickinson: To where that, I'm sorry, to seven.

Carol Sullivan: There'll be seven?

Devin Dickinson: Correct.

Dean Howland: Can I ask a question?

Carol Sullivan: Sure.

Dean Howland: I missed this. What's the color of the roof?

Dennis Quirk: It will be (inaudible). It'll be a dull grey.

Tim Barber: You won't see that from any.

Dean Howland: From the top of Dieskau you will.

Dennis Quirk: Oh, yeah. It will be a lot like my existing building, so when you come down, you'll see what I'm talking about.

Dean Howland: It doesn't shine in your eyes is what I was getting at.

Carol Sullivan: Any other questions?

Patricia Dow: It terms of, have you decided on this building, there's no building that's slightly lesser proportions that still have three racks or that you, I mean, I'm trying to understand the amount of boats that you potentially will store in here verses the size of the building if there is any way to, you know, are you like, have a hundred to go in there right away or what?

Devin Dickinson: So, we use, right, yeah, so we used the guidelines for those prefabricated buildings, based on the boat sizes. And really the difficulty with the size and shrinking is that you need the room to maneuver with the forklift with a boat on it because it is fixed. There's no pivot point when you have those together.

Patricia Dow: When you say that, you mean because it's like a big truck, tractor truck trailer going in right? Is that what you mean by no pivot point?

Devin Dickinson: Right, tractor trailer trucks don't have any pivot, so it's more like a box truck and not point for that to bend at all. The boats don't sit all the way back. You pick them up from the stern so you got to have space between your outdrive. So that whole thing is very long, so you got to be able to maneuver around and be able to get into the racks. Five feet doesn't sound like much to take off but it could be the difference in fitting a boat. It's very tight.

Dennis Quirk: Yeah, even at these standards, these are engineering, architectural standards that this building is designed by and to fit these boats, it is a minimal. I mean it's tight. You've got the whole fork truck and boat out on the forks, turning radius.

Dan Wolfield: And the six-foot rear set back? It goes up against where the, the rear from Sewell? It says six point one feet? Was that something that was done with a variance?

Jon Lapper: That's the variance that we had to get.

Dan Wolfield: And was that for six feet or less than six feet?

Jon Lapper: Six feet.

Dan Wolfield: Ok so we can't go any more that way.

Jon Lapper: And that's because the property line bends there so it's tricky.

Dan Wolfield: Right. That's what I was looking at. I was just looking at a pivot point, seeing if that went.

Devin Dickinson: We did at one point have it pushed back a little further but then.

Jon Lapper: Then we would have needed a little more variance.

Devin Dickinson: Yeah so, we kind of compromised, balanced it.

Carol Sullivan: Anything else guys? Ok, I'm going to open the public hearing. Just some general housekeeping. I'm going to ask that previous comments not be repeated tonight. They have already been recorded in the minutes. I'm going to ask that you state your name and you have a maximum of five minutes to speak. There will be one rebuttal and we will move on to the next individual. So, with that I will open the public hearing. Who would like to go first?

Kristine Lufkin: Hi I'm Kristine. I live at right across from.

Carol Sullivan: Your last name Kristine?

Kristine Lufkin: Lufkin. I have no problem with this project. I think it will be, make the area look nice. Better for the community.

Carol Sullivan: And you said you live right across?

Kristine Lufkin: Yeah, I live at 24 Sewell Street.

Carol Sullivan: Oh ok. Thank you.

John Eisenhower: I'm John Eisenhower, I live at the very end of Sewell Street. I pass through there every day, and it's a tight squeeze. I think anything would be an improvement over how the boats are sticking into the road now. I drive through there when there's people coming into the restaurants. It gets a little cluttered. If he can set that back, the way I see it, I think it's an improvement. I think it's an improvement to have a building there rather than a bunch of boats. I just think it's a better thing, and I live down the other end but I go by there. I think just widening that aperture would be a positive thing.

Carol Sullivan: Ok, anyone else?

Paul Livingston: Paul Livingston, 12 Dieskau Street. That's how it's pronounced by the way. A little funny story on that. But anyways, I would not be bothered by the height because I live right at the top of that hill. So, I'm looking across at the Harbor Motel and a few other places, and I would love a big road block not to see that. I think he keeps the place clean, he's been a good neighbor to me. I was there before he built the marina. It used to be a nasty old parking lot down there in the wooded area, and I think he tries to keep it nice. As far as noise, I don't hear any problems down there. If I have a problem, I can go talk to him. But like I said I've never had a problem compared to the marina behind us and like I said, I think it's a good job. Thank you.

Carol Sullivan: Thank you. John Carr?

John Carr: John Carr, One Canada Street. I have some revised drawings for the Board to pass around. I've also got copies of four pages of code, this is the Village Code. These are codes that, you know, the word shall is associated with. That you know, the Board has to follow. Again, I'm not opposed to him improving his business, growing his business, doing any of that. Quite honestly, I think he can clean up that parcel, that would be great. But I don't think that's what this application is about. I think this is about putting more boats there. By the way, the applicant tonight, doesn't seem to know exactly how many boats are actually going to be there. The Park Commission application that he filed a couple of months ago said he is looking to put 275 boats there. On his map he's showing 21 to 24-foot boats. As he stated tonight these are actually 31-foot boats. There's quite a difference between those two boat sizes. So, there's a lot of questions here as to what this actually is. And quite honestly, the intensity of use is an issue here. You know, if he's going to build a single story, you know, building and put some boats in it and clean up his yard and put some new landscaping in and the building didn't need variances for color and roof pitch and everything else, I wouldn't be here tonight. I wouldn't have opposed this project for the last year of my life but quite honestly that's not what's going on. This is a big, cheap building and he's increasing the amount of boats on this lot three-fold. If the neighbors are fine with that, that's their prerogative. I've been coming in front of this Board for over 20 years. Some of you have been on there almost that long. I've seen a lot of difference applicants come through here. This Board has always been extremely sensitive to our codes and our comprehensive plan. Our comprehensive plan calls for

Planning Board
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streetscapes to be pedestrian friendly, use natural colors and that's a lot of what's in that. I haven't gotten to the whole rest of that code and everything else that's there. Comments that came back from the Park Commission to the applicant and their attorney, I think sum it up. Consideration, quote, consideration should be given to the construction of a smaller structure or an alternative location. Now last meeting the question came up about the size of the Boats by George buildings. Those buildings hold 75 boats. So, to say it's some industry standard, is the only size building we can build here that's not true. He can build a building that holds 75 boats just like Boats by George did. He can do what Yankee did, you know, buy a piece of land in the middle of nowhere. Nobody even knows it's there. Up on Roaring Brook, he can do a tumble home. He bought a bunch of buildings but made them look nice. I'd be fine with that, I would not even be here tonight. What he's proposing at the Park Commission is a lot different, and the intensity is a lot different than what you're seeing. You know he's showing, you know, boats behind the marina all over the place, and I would look at that. You know, you will be getting a copy of that application because I think to compare these two is important. And I think this Board has two tasks. One, to act like a planning board and look at how to make a good plan. But I think if given that it's trying to be a variance board at the same time is a conflict. And I think that's difficult and if it goes down that road, the benefit to the applicant should be weighed against the detriment to the community. I'm sorry, but this building is a big, cheap building. If I went to put this building anywhere else in this Village, can anyone on this Board tell me where else I could put this thing? Would it be allowed anywhere else in our village?

Carol Sullivan: On your property.

John Carr: No, it wouldn't. Not without breaking the law. That's the point.

(inaudible)

John Carr: I have four acres. He could put this in other places on his property. And the reality is it's a big steel building. It's going to affect the character of that neighborhood and I firmly and adamantly believe that. It is not just that I believe it but quite honestly some of the stuff that I gave you, there are ten of my neighbors and people that live in this community that don't support it also. So, you know a lot of them couldn't be here. Georgeann that owns the liquor store, you know when she realized how tall that was going to be, she said she'll never see the mountains again. And she said that's why people come here. They want to see that stuff. I want to see that stuff. We hold events there in the street, and we, you know, we do a lot there. So, I challenge this Board to follow its, at least my 20-year history, with being very diligent and careful about projects. I do believe that he can store 275 boats there and if it's done correctly, it could be quite a nice project. I think what this Board currently has in front of it is not that. And I would be very disappointed if this Board wants to continue to keep moving forward with what's really a bad project and poorly planned and laid out. Thank you.

Carol Sullivan: Ok, rebuttal?

Jon Lapper: So, the whole purpose of this process was to not come up with a single color, boring building, but to have the shakes, to have the colors, to have the windows, to have the landscaping and to make this as soft as possible. The particular site, because it's down the hill, it's sort of in a hole, it's a good place for this building but the use is already there and the use is a permitted use and this is going to shield the rest of his site and, you know, much more attractive from Canada Street and from Sewell Street than what's there now. So, this a big investment to do something that's nice. Yeah, he could continue to have the boats shrink wrapped on the site. I don't see what the benefit of that is. I don't see how that helps John Carr either. This way the activity is indoors, the garage door is away from the street. It's away from the neighbors. It only faces Dennis' existing building. This is a big investment to make this a better site.

Carol Sullivan: Anyone else?

Jennifer Juzaitis: I'm Jennifer Juzaitis, and I represent the Jamison's, and they are disappointed to be losing the view from their deck. They understand that it's a boat business. They live in a neighborhood with a marina, but the big concern is that they don't really understand really the number of boats that are going to be stored there. Because the idea was, well they're all going to be all packaged up into a nice box that's very good looking and they won't be all over the place, but that would be terrific but they're not confident that there won't be, as there are now, boats behind the laundromat, and rusty trailers and you know, containers, truck containers with the doors open and things like that. If all that's going to be put in the building and it's going to be nice neat building that all these improvements are made to, then they understand that. But their concern right now is that they understand they're going to lose a good section of their view but they just want to make sure that all the work that's being done to make this building look great, will be for the whole property of Shoreline Boats, including the laundromat that's right across from where the Jamison's live.

Carol Sullivan: Do they understand or that there will be boats stored at the laundromat? Those boats will remain there. This project is not about the laundromat parcel.

Jennifer Juzaitis: I understand that. I understand that and then the other concern is that we discussed it last time, the boats possibly leaking some of their oil and others things and it was discussed how that was going to be protected. And just as far as making sure the boats are clean of any kind of invasive species when the boats are cleaned as far as close as this is to the watershed and the feeder. What if it goes into the lake and we spend so much time cleaning up the lake, will it possibly dirty the lake. So just as long as there's vigilance with that, having to do with the building and the boats and all this storage so we don't have problems with the lake or the (inaudible) that are in the building (inaudible) and there just seems to be difference between numbers from one document to another. A hundred boats in, a hundred boats out. There's parking space for a hundred boats outside and I saw a document that says 60 boats on the laundromat property and so I would just like to have an idea of what's going on. I know it's not relevant to the three waivers that are being sought here tonight, but something more to consider in this (inaudible) neighborhood, part of which was zoned commercial when the Jamison's bought it and it was changed on them so they have a house that's really pretty much now in a commercial. Everything across the street is commercial. (Inaudible). They want to maintain their property and be able to sit on the deck and look at the fireworks. But they're not against development. (inaudible).

Carol Sullivan: Thank you.

Claudia Braymer: Chairwomen if I could just follow up quickly. I know John was already up and I just want to follow up on one point. I'm Claudia Braymer, attorney representing John Carr and we did, I'm glad that you asked this point earlier because when I got copies of the Lake George Park Commission's plans that were submitted by the applicant, I went back to the minutes from the last meeting where you asked, if facing your service building, everything to the left of that will be clear and this building will be there. And that's it and he said correct. I know you asked about that tonight, but I brought copies of the plans to show the Board that in his submission to the Park Commission, he is asking for permission to have 27 boats parked on that lot where this building will be located, in between the service building and the building, if you're facing the service building, to the left of it. So, I think that needs to be taken into consideration, as well as the fact that in the plans that they are submitting to Park Commission, they're asking for approval for 120 boats to be stored on the adjacent lot. And I think that that should be taken into consideration by this Board. There may have been some review of this lot previously, but as far as I can tell, there has not been an actual site plan review on boat storage of this magnitude on that lot and if he's asking the Park Commission for approval of all this at the same time there is, in my mind, no reason why this Board should not be considering this all at the same time as well. Otherwise your segmenting

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the review of a single project. And in your Code, it says that any change in intensity of use does require a new site plan review. So, I'm asking you to take into consideration everything that they are putting in front of the Park Commission when you take this into consideration. Thank you.

Jon Lapper: I just want to quickly respond to that. Dennis himself came before this Board two years ago when he bought the laundromat parcel and received approval for the outdoor storage of boats behind the laundromat. So that's why that doesn't need another approval from this Board but my understanding is that's pending for Park Commission approval because it did require approval.

Devin Dickinson: Correct, yeah, we don't have any approvals from the Park Commission. That plan you see there portrays all the boats on the property. There are boats being serviced like Dennis said. There're sales boats which I imagine differs year to year so that's kind of a master plan of the boats. I think it represents what we've talked about here tonight and again we don't have any approvals from the Park Commission. That's the next step. In dealing with them we've submitted storm water plans and those types of things but we can't go in front of their Board until we get approvals here so.

Dennis Quirk: I'd just like to add to that. Currently right now I do have approval. I have a permit for over 200 boats.

Devin Dickinson: Correct.

Dennis Quirk: On the lot, minus the laundromat property. So, we're looking to balance the property, improve on the landscaping and we spent an awful lot of money to make the whole lot look, you know, great.

Dean Howland: Dennis, I just have one quick question. Because we already determined you're not going to store any boats between the proposed new building and your service building.

Dennis Quirk: Correct.

Dean Howland: Ok.

Jon Lapper: That can be a condition as well.

Dean Howland: No, I'm just explaining that that's where I got lost.

(inaudible)

Dean Howland: That's for summer service and new boats?

Claudia Braymer: That's not true, that's the winter plan.

Devin Dickinson: Yeah so there's boats being serviced all winter long. So, there's going to be boats in and out and some will go off site, some will go back to the building but there's definitely going to be boats being moved about in that area. That's the entrance to the service building.

Dean Howland: But not storage?

Devin Dickinson: Correct.

Dean Howland: But those are the boats that are sitting on the concrete pad that's there now?

(inaudible)

Dean Howland: One more question. Devin, on the, let's say the line from the corner of the building, you show some boats back here, but this is all grass and storm water here?

Devin Dickinson: That actually is going to be the boat wash area. There's going to be a boat wash station.

Dean Howland: So that has a special?

Devin Dickinson: Right.

Dean Howland: Trapping of the water? (inaudible)

Devin Dickinson: So, we're going to do that and then it goes in behind the building, there's actually, that's the 1998 approved stormwater infiltration basin there.

Dean Howland: Ok behind the existing building?

Devin Dickinson: Correct.

Dean Howland: Ok.

Dan Wolfield: So, is the boat wash area currently there?

Devin Dickinson: We're going to actually have to construct the boat wash area there.

Dan Wolfield: Now will that go through storm water or the DEC or APA or some regulation?

Devin Dickinson: Correct. It will start with Lake George Park Commission, they will review the design and that'll be part of their permit approval. So, they'll have to install it, it'll inspected and have to be maintained.

Dan Wolfield: Ok.

Dean Howland: And that's true of all the marinas, I think.

Dennis Quirk: Correct.

(Inaudible)

Devin Dickinson: Anything that's approved in the marina permit, with the marina permit, will be inspected.

Patricia Dow: So, where's that part you were pointing to? I couldn't see.

Dean Howland: You have this line coming across from the boat building, south west corner, and it goes over to the back of the existing building that just, they have boats stored in there now and was just was wondering if that's part of the stormwater, but it's going to become part of the boat wash. (inaudible)

Carol Sullivan: So, before the Park Commission grants their approval for this, does this boat wash have to be constructed or presumably according to their specs?

Devin Dickinson: It will be on condition of approval and he will have a certain amount of time to install it. Same with the stormwater infrastructure. Similar to the Village, if you approved it, we'd have to put the stormwater in and you'd inspect it.

Carol Sullivan: So, I have a question about, last meeting we were talking about the building and there's the concrete pad and then there's gravel all around and we were talking about the boats leak, could possibly leak, and you Dennis, mentioned you see that right away if the boat is leaking.

Dennis Quirk: We do, I mean you can see it. (inaudible) You'll see it on the concrete and if they do leak, we address it immediately.

Carol Sullivan: So how does that address the soil concern?

Dennis Quirk: So hopefully, honestly, we hopefully we catch that before it goes into the water. We'll catch it at our place before it actually goes into beautiful Lake George. That's all kind of our.

Devin Dickinson: So, he is bound by an industrial slip which does water samples during rain events and all that kind of stuff. That's done by somebody else, not this crew here. So, he currently has that.

Carol Sullivan: And that currently is done?

Devin Dickinson: Correct.

Carol Sullivan: With the boats being outside?

Dennis Quirk: Yup.

Dan Wolfield: Per quarter, per year or random?

Dennis Quirk: I think it's twice a year, once a year or twice a year.

Dan Wolfield: Ok so it is yearly though? There's a yearly test?

Devin Dickinson: And if this gets approved, the way that they test, will be revised, based on this plan. So, they may test in different areas based on this plan. The current slip is for the existing conditions.

Dan Barusch: Would you guys be ok with providing us those?

Devin Dickinson: Yeah. Park Commission has it so.

Dan Wolfield: That's done through the Park Commission? Park Commission regulates that requirement?

Devin Dickinson: The Park Commission did, yeah. It was a firm out of Albany I think that.

Dan Wolfield: Ok. They're the ones with regulation, is coming through Park Commission?

Devin Dickinson: Yes.

Dan Wolfield: Ok.

Patricia Dow: So, the, in terms of following along in Carol's questioning, so my understanding was the shell of the building doesn't sit on a pad. Right?

Tim Barber: The building is on a foundation, the concrete slab on the inside so its fully encapsulated. So, anything that was leaking on the inside of the building it would be on the concrete floor.

Patricia Dow: I thought there was some gravel underneath?

(inaudible)

Tim Barber: Underneath the racks there's a small section of gravel that will be (inaudible) 15 or 20 feet just under the racks themselves. But everywhere else it will be impervious surface.

Patricia Dow: So, under the gravel it's just right down to the ground?

Tim Barber: Correct.

Patricia Dow: Or is it down to the foundation?

Tim Barber: Well your foundation is four foot, into the ground but.

Patricia Dow: I mean, so the concrete floor if you will, doesn't go all the way to the end?

Dennis Quirk: So, the way they carry the boats they're on a forklift and the engine would be towards the driver of the forklift so all the engines will be, so if you walk into the building you can see all the lower units. So, if anything is going to drop, it will be on the concrete. You'll be able to see it. It'll either drop on another boat or drop on the concrete. It'll be visible.

Dan Wolfield: You don't have a cut view of the building, do you?

Dennis Quirk: A what?

Dan Wolfield: A cut view of the building? That shows the foundation and the gravel?

Devin Dickinson: No. We've got a storage plan that kind of shows the rack systems.

(inaudible)

Dan Wolfield: I'm just curious if something shows the concrete, the foundation, the gravel? If we had a view of the floor.

Dennis Quirk: It would be flat. So, the concrete or the stone?

Dan Wolfield: No, I'm just looking for a picture. That's all. If we had something the we could (inaudible).

Carol Sullivan: So, if I understand this correctly, if there is a leak, it would leak onto another boat or onto that cement pad. Not onto the gravel. Is that correct?

Tim Barber: Correct. With the engines. Yeah, it would come out of the engines. Like Dennis said it's going to be towards the aisle way. You'll see, all the engines will be stacked, you'll see them. So, if it's the top row boat, it may hit a lower boat but it will come down onto the concrete below us, below the boats.

Carol Sullivan: John Carr you mentioned you provided a list of your neighbors or something?

John Carr: Yup, I've given it to.

Carol Sullivan: Oh ok. Can you just pass that around?

(inaudible)

Hibbard Nash: Some public comment. I've been waiting patiently.

Carol Sullivan: Sure, please.

Hibbard Nash: I don't have any facts or figures. I'm Hibbard Nash I used to own Hall's Marina across the lake. Hibbard Hall was my father, grandfather. I now live on Sewell Street. I actually live right above the laundromat. I do work for Dennis, ok, but at the same time my family and I have been on this lake for nine generations, and he does do a great job. Does a great job of keeping an eye on his property and anytime you put the boats in the building it's much more efficient then keeping them outside. It's much better on our economy or ecosystem because you're keeping shrink wrap out of the landfills, so I'm all for it. Ok. I'd love to see it. I think you guys have, you know, pushed him and he's done a lot to help you, ok, and I hope you'll take that into consideration, ok? And that's it. That's all I've got.

Carol Sullivan: Any other public comments? I thought someone new came in. No? So, getting back to the question of how many boats you're storing, apparently there's mixed reviews of exactly how many you've submitted to the Park Commission, etc. and I understand that we are only looking at this one parcel. We're not looking at the laundromat parcel. So, again there will be 100 boats in the building. That is correct? Roughly?

Dennis Quirk: Correct.

Carol Sullivan: Ok and then outside where you're repair shop is, there will be some boats there going in and out for repair. So those are in transit.

Dennis Quirk: Correct.

Jon Lapper: But not storage.

Carol Sullivan: Ok, and then in the front there will be new boats for sale?

Dennis Quirk: Correct.

Carol Sullivan: In summer time. In winter time?

Dennis Quirk: Well yeah, in the winter time too. Yeah, there'll be some boats for sale towards the front of the building. Which I've had there for the past 25 years.

Carol Sullivan: Right. And approximately how many is that? Roughly?

Dennis Quirk: Ten. So, it changes every year. So, you're saying how many boats.

Carol Sullivan: Right, no, I'm not looking for.

Dennis Quirk: Some years we have 40 footers, so I put a 40-footer in, I can't put three 16 footers in. So, you know, times change, size of boat changes. That's why we're putting the building in. Typical size of boats that I have is, you know, 30 foot. So, that's why we're going for this size building so that I can get most of my customers inside this beautiful building that we have proposed to put up. So, the big number is based on a small amount of boats.

Patricia Dow: What does that mean?

Dennis Quirk: So, the size of the boat could change every year with different clientele coming in.

Patricia Dow: What's the big number? I don't understand the sentence you just said. The big number?

Dennis Quirk: So, I'm approved for over 200 hundred boats, right now, currently. So, if I put in a building that's going to hold 100 and then I have two extra acres that I just filed by the laundromat, that I got a permit through the Village, I could hold up to like 325. But being reasonable I think we started at 275, we're down to. I want to say the right numbers.

Devin Dickinson: Yeah, I'm trying to find out. I think we're at 230 or 240.

Carol Sullivan: Ok but again we're not looking at the laundromat parcel.

Dennis Quirk: Ok.

Dean Howland: Ok so you're looking at 130 or 115 over there.

Devin Dickinson: Something like that. Yeah.

Carol Sullivan: I understand that it changes based on the size of the boat, etc. So, if you're going to have smaller boats, you're going to have smaller boats in there and I get, I understand that. I was just curious about the discrepancy. I guess what you're saying is, there's going to be a lot of boats over by the laundromat and we're not looking at that particular. You've applied to the Park Commission?

Dennis Quirk: Well we're focusing on this building right now.

Carol Sullivan: Right.

Dennis Quirk: So, yeah, the boats are going to be there, yes.

Jon Lapper: And already approved by the Village.

Dennis Quirk: Correct.

Carol Sullivan: The use has been approved by the Village. The number of the boats is approved by the Park Commission.

Dennis Quirk: Right.

Dean Howland: It doesn't have anything to do with this parcel but have you ever thought about putting trees over in that other parcel? Just a question, immaterial to what we're talking about.

Dennis Quirk: It's a possibility.

Dean Howland: Ok.

Carol Sullivan: Other questions?

Patricia Dow: So, the parking, the parking that you need to have on this parcel is for, are there requirements for your customers that come to shop for boats, for customers who come to drop off boats?

Dennis Quirk: So, again like the last time we were speaking, we have very few customers. Not like a grand number of customers coming through at one time. You know three, four customers would be a lot on the property at one time. So, we have plenty of parking for customers and our employees.

Dan Wolfeld: Is this parcel also used as parking area for your cruise boat business? Is this considered accessory parking on this lot?

Dennis Quirk: In the summer time, so yeah, we park cars there if we have a certain party. How often do we use it? Very seldom.

Dan Wolfeld: Is that considered part of, is there a parking requirement for that?

Dennis Quirk: I have a parking permit that.

Carol Sullivan: Ok so there's a couple of things going on here. Shoreline Boat Sales parcel, if I remember correctly, and I haven't been in the Village office for a few years, has a parking permit for a commercial parking lot that Dennis can use that parking lot. Somebody correct me if I'm wrong, if for instance it's fireworks night. And you do use it for that or you don't?

Dennis Quirk: Very rarely.

Carol Sullivan: Ok so that's one issue. The parking that you're seeing on this map here, is over on the laundromat parking and that's the parking that you use for overflow parking for your Horicon, Adirondac, etc. parking if need be?

Dennis Quirk: Correct.

Jon Lapper: And that's because he doesn't have boat storage there in the summer.

Carol Sullivan: In the summer time. Correct. I understand that. Does that answer your question?

Dan Wolfeld: Yeah, I'm just curious if there's a spot where this parcel is required to have so many spots and have you already committed those spots via the cruise business? I don't know if the cruises require a certain amount of spots?

Dan Barusch: The count shown on the map with this parking, the summer map, identifies numbers that are required for the marina use on his lakeside parcel by the Park Commission. Our local regulations, for anybody in the audience who doesn't know, we do not have a requirement for parking minimum for marina use, for boat storage use, unless it is sent by the Planning Board during site plan review. So, Planning Board

unless you guys, last year, said sure you can store boats on that parcel behind the laundromat, but you need 50 parking spaces, then that would have been factored in. Since no parking was required, the Park Commission went and set their minimum based on his Horicon.

Dan Wolfield: Park Commission regulation not a Village regulation?

Dan Barusch: Right. Ours is a zero, it's a zero minimum unless you guys set something.

Devin Dickinson: And to clarify the parking, we have summer parking for the laundromat, for the laundromat employees, Shoreline Boat customers, Shoreline Boat employees and the 100 required in the marina permit. Simultaneously.

Dan Wolfield: So, in this particular case we're looking at the Shoreline property, the Shoreline marina right here and we have the required amount of spots?

Devin Dickinson: Correct.

Dan Wolfield: Ok.

Devin Dickinson: Yeah so, the parcel we're reviewing tonight is primarily Shoreline Boat customers and employees. The parking plan for the marina requirements is primarily behind the laundromat.

Dan Wolfield: Ok. Thank you.

Dean Howland: Devin, those parking spaces on this parcel, they're there right now?

Devin Dickinson: Yes, those are just there. Correct. And that's enough for the employees and customers.

Dean Howland: Ok.

Carol Sullivan: So, everything that is currently on cause it's winter time, and everything that is currently on the parcel we're looking at today, everything that's there on your property today, that's pretty much it? Or you're still going to get other boats in to store?

Dennis Quirk: There'll be other boats to store. Oh, for this season? No, that's pretty much it. Correct.

Carol Sullivan: Ok. So, what we see is what you're storing for the season?

Dennis Quirk: That's right.

Carol Sullivan: Any other questions?

Patricia Dow: About what?

Carol Sullivan: This project?

Patricia Dow: Back to the building. In terms of the architectural guidelines, it seems like the purpose of the guidelines, pedestrian friendly, structures that fit into the surrounding site, those kind of things. The proportion as it gets, you know, how to reduce the apparent mass of buildings, the building, manipulating, recesses, offsets, changes in height, vertical and horizontal divisions, it doesn't, it seems like there still are

long, monotonous wall, planes, wall, this long blue part. I just don't see that it's pedestrian friendly or visually modified to the point where the mass is reduced. It still looks like a very big building. I understand the different colors there, on the band across the middle, but it's still quite a large 15, 16 feet with nothing on the bottom but the one color, which is unfortunately a blue color, so it's not blending into the background like was suggested. You know, it would be helpful, at the last meeting. So, I just, it does seem like the architectural guidelines are not going to be mollified or incorporated into the building because it still is a large building.

Dennis Quirk: Well, again, the building is being pushed back from where the boats are now so it gives you much more freedom to move on the street there.

Patricia Dow: I'm not talking about.

Dennis Quirk: Don't forget I own to the middle of the road and the road actually is on the other side, if you will, so that 15 feet into the middle of the road is.

Patricia Dow: Yes, but the pedestrians aren't going to be walking down the middle of the road.

Dennis Quirk: Right.

Patricia Dow: You may own there but that's not where they're going to be going so.

Dennis Quirk: And then we're putting up trees and.

Patricia Dow: It's really the building itself, not even the pedestrian friendliness of it.

Dennis Quirk: We think it's beautiful, and it's going to really upgrade the whole neighborhood.

Jon Lapper: It's the colors and the different textures that soften the look.

Patricia Dow: I'm sure it does soften the look too somewhat, but just looking at some of these guidelines here which are standards and guidelines, and I'm not necessarily in agreement with you that it is completely, 100 percent following the guidelines. You know, I still see a very large expanse without any kind of features or anything that is right at pedestrian level. Perhaps there's not going to be pedestrians along here, perhaps there are, but the guidelines say we're trying to create an atmosphere in Lake George Village that where the structures fit in, where they are user friendly, so to speak, and I'm just not seeing it.

Dennis Quirk: Well, ultimately, we are a marina, been a marina for 25 plus years. We're continuing to do what we do down there. It's a marina storage building.

Dan Barusch: Is there a specific suggestion that you have or an actual item from those criteria that he's violating?

Patricia Dow: I think that the long, monotonous wall on the bottom, there's the color, the nature color friendly.

Dan Barusch: What's the provision in there that's? Which provision are you referring?

Patricia Dow: There's color to an overall harmonious composition. The color of the exterior buildings, you know, may vary, but color selections, the historic color palettes.

Dan Barusch: Alright, so those are your personal opinions and not an actual standard that he's not following?

Patricia Dow: I think that, there's a standard in here, which is long and monotonous wall planes shall be avoided. Large uninterrupted expanses of a single material are prohibited. I guess that's a standard that I'm saying, I find it's, this building is contradicting.

Jon Lapper: Well, that's why we broke it up with colors and textures.

Patricia Dow: On the bottom it's not.

Jon Lapper: But there's trees and shrubs on the bottom.

Patricia Dow: It's still a long monotonous wall.

Tim Barber: There's a demarcation line, a horizontal line that the panel itself, is an architectural panel. It has variations. It's not a long straight bland panel. Again, the landscaping in front of the facility and then all the architectural finishes above it. I think it's, I think this is not a super large building. When you see this building up, I think his current building, the eave is, or the peak is 30 feet, Dennis?

Dennis Quirk: Roughly.

Tim Barber: Roughly and it's a blue, his whole scheme now, has been blue the whole time. I mean even the Lake George logo, the bottom, the logo is blue to depict the lake. You know, I don't see why this doesn't fit in your scheme?

Patricia Dow: I'm just reading these guidelines and I'm saying I'm not finding that it's.

Tim Barber: But I don't think it's a monotonous finish. I don't see a real bland sheet rock wall with nothing on it. This is a textured finish. It's got horizontal lines. It's got vertical lines every foot. It's not a bland, flat sheet rock type finish.

Dan Wolfield: With consideration to that then, if the concern is the bottom, would you agree the upper is not as monotonous?

Patricia Dow: The upper is not as monotonous.

Dan Wolfield: Ok. So, on the bottom is there something else that we could possibly do?

Tim Barber: You can't, if you do anything else to this building it's going to make a checkerboard mess. Architecturally it's just going to, you're going to destroy it.

Jon Lapper: Too busy.

Tim Barber: Way too busy. This is a very good balance for this type facility. Dennis is spending a lot of money on the upgraded features of the shank and the different sidings, and the orange peel type material in the middle.

Dan Wolfield: It doesn't need to be anything extreme. Is there the possibility of a few extra windows or faux windows that might be just more like panels, that are down on the lower portion so it's not just a giant, especially on the street side?

Tim Barber: We played around with a lot of different schemes. It's just, if you start adding more things to the building, it complicates the look and adding more window features and such, doesn't do it any justice. It's, this wall plane, it's not monotonous and boring.

Dan Wolfield: It breaks the line up by adding something on the lower portion.

(inaudible)

Dennis Quirk: So, this is the original here, and I don't know if you can see it but we dropped the windows, so it's a little less blue.

Dan Wolfield: Absolutely.

Tim Barber: We have the six-inch board down below in white, a horizontal rib just to give it a.

Dan Wolfield: If you were to put three windows that were three by three, across the whole one wall, that would be enough that when I look at it, it doesn't look like a blue runway. That's kind of what I'm getting at.

Tim Barber: I understand what you're saying but three windows are going to look like ports and there not bands. On a facility like this we have banded windows above. You'd have to do something with banded windows below.

Dan Wolfield: They're down so low they're going to be behind some of your shrubs and trees, but even if they're four feet off the ground, the point is to the person, I'm only this tall, so if I'm only this tall, and I'm walking by the building, I'm not looking at that upper part. I'm looking at what's here at eye level. And if for some reason there, you were to put windows in, my eye doesn't just go, it's you know, 120 feet wide. My eyes stop at each window. And that's just, you know, from the point of monotonous that's what changes some of that. That's my feeling.

Tim Barber: I guess to, I would agree though with the landscaping. That's the whole landscaping scheme as well. It gives some depth to it. The nice trees in the front and the other shrubs. It's going to break it up.

Devin Dickinson: You're not going to see this big long.

Patricia Dow: But that's not going to be for several, many years. You know the shrubs and the trees are going to be there but they be tiny compared to the building. For quite a while, don't you think?

Devin Dickinson: I mean, the landscape that I proposed, most of its pretty good size. It's going to cover most of the blue right off the bat. The trees I call for are 15 feet tall to start with and they're all native Adirondack trees. They've been chosen based on where they are and what they are. The ones along the road are shade tolerant and salt tolerant, those types of things. But I try to make them tall enough that they cover, you know like what Dan said, your eye line, you drive by, you're going to see the trees and you walk by you're going to see the trees.

Patricia Dow: You have that space right there where the stormwater basin is, which is blank. I mean that's not gonna have trees.

Carol Sullivan: This right here?

Patricia Dow: Yeah.

Devin Dickinson: I do have a small section there, right. I could probably add another tree there.

Dean Howland: What is the stormwater basin? Is that stone?

Dennis Quirk: It's an infiltration trench. Yes.

(inaudible)

Dean Howland: Why can't you put a tree in it?

Devin Dickinson: It's pretty deep, because of the frost. There's no protection.

(inaudible)

Dean Howland: Oh, ok. There's no dirt.

(inaudible)

Jon Lapper: So, there's room for another tree there?

Devin Dickinson: We could fit another tree in there. I mean, I was trying not to block the building entirely. I personally like the look of the building. I was trying to (inaudible) entirely but we could put another tree in there.

Carol Sullivan: Or just, you have that stormwater management there, and I understand that but you could even just put another garden in there or something. To, you know, it doesn't have to be a big tall 15-foot tree that's just going to have trees all the way around the building, but you could do some kind of landscaping in there with maybe flowering shrubs or something that, you know, you already got something here started and work around that stormwater trench there.

Devin Dickinson: Yes.

Carol Sullivan: Because I mean, it is a trench and you can plant around there. You could even plan in there if you wanted to. And do something with maybe some flowering shrubs. Something that, obviously in the winter time it's going to what it is but in the summer time it'll draw the eye more to the garden.

(inaudible)

Carol Sullivan: Yeah, rather than the building. Something colorful. Some flowering shrubs or something like that.

Devin Dickinson: And that's why I tried to mix in the hemlocks too, to that effect. You know in the winter, as you come down Sewell Street, you'll see trees year-round but, yeah, I can.

Carol Sullivan: I think something, you know, some cycle garden in there. It doesn't have to take up the whole wall or a big huge tree. You've got trees on each end of it. Try putting some landscaping in there that's more colorful, more garden like.

Devin Dickinson: Sure.

Dean Howland: How fast does a black gum tree, I just don't know that species? (inaudible)

Devin Dickinson: I think it's similar to like a maple as far as growth cycle. It's very similar like when you see the summer and fall look to it. The reason I chose that location is that it's salt tolerant. Unfortunately, that's got to be a consideration so.

Patricia Dow: Did you try doing anything like this paneling that you have there in the back, the shakes or whatever you call them? Those things, yeah. Did you try doing anything more with expanding that more, so that the, you know, sort of either down or out from where they are in terms of the color, balance? I know you keep saying checkerboard but in order to make it more dark then light up there?

Tim Barber: We went through several different renditions of trying to bring different colors in and break different areas up. It just makes too much of a checkerboard of it. It gets very busy and it's almost dizzy like.

Devin Dickinson: I feel like a dark color up top might make it seem counter productive too. I think the bright color kind of blends in more with the sky line. It's not so overpowering.

Carol Sullivan: Ok so is that something we would want to see? Would we want to see, Dan had some suggestions for windows? Or do we want to see a change in the landscaping plan?

Walt Adams: I think the landscape plan could address the.

Carol Sullivan: Monotonous?

Walt Adams: Monotonous aspect of it particularly as years go on.

Dean Howland: I'd agree with that too.

Carol Sullivan: How does everyone else feel about the monotonous, quote un quote, monotonous wall?

Dean Howland: Well, I think the nature of what they're trying to do is, I think the landscaping of the first 15 feet is going to be the most important thing because you can put some windows, except where John's sign is. I think that's what it is, you know right there in the corner, but if you plant more, you have a tendency like he said to look straight ahead. But you put like a fake window in there and after a while it looks like a fake window to me. It not a (inaudible). I think it looks good in the band up there. Are those real windows?

Tim Barber: Yeah, they are.

(inaudible)

Dean Howland: The windows down below have to be really big and all you're looking at is a boat. Instead of siding you're going to see a boat. That's the object is to take away the view of boats.

Patricia Dow: I don't think anyone wants real windows down there.

(inaudible)

Dean Howland: Yeah, cause I'm not sure what. Again, I'm not into that type of building. I know how they're built but I don't know enough, anything else about them.

Carol Sullivan: And Walt, what do you, how do you feel about what we want to see next?

Walt Adams: I think that landscaping addition and the garden addition would certainly help that corner. The biggest question being the visual impact and the esthetics seems to be the biggest question. It's almost an esthetics neutral, whether it's shrink wrap boats or the building. I think it's kind of a neutral impact.

Carol Sullivan: And Patricia you have a concern about the wall and sorry, pedestrian?

Patricia Dow: I don't feel like it's pedestrian friendly. I mean impart the site and where they feel they need to locate this building, you know all of that but it just.

Carol Sullivan: Typically, though other than for the liquor store and brew pub this isn't a pedestrian area. We've already established that. Dennis doesn't get a lot of walk ins.

Patricia Dow: I'm just saying that the Village produced these architectural guidelines. This is in the Village, so to me, if it's in the Village, the guidelines produced by the Village, it applies to this parcel. Whether you actually have had pedestrians in the past or not doesn't matter in my eyes because you do have people moving along the street and the idea, my understanding of the architectural guidelines, is to create an environment that people feel like being around perhaps not in their vehicles and relating to the buildings as part of the, as part of the visual and just the whole atmosphere of the Village. I have, I have reservations about. We finally got these architectural guidelines with standards and I have reservations about starting on a path to just blow them out of, away.

Dan Barusch: Well, they're going to. For your ramification everybody, they are going to be worked on over the next few years. Since I've come on board, I'm sure you've heard me tell you, I've done a lot of analysis of this entire Village code, just as I did with the Town, what we have in the Village, while it's good, it's pretty much a copy paste job from another municipality and so what we're going to do over the next year or so is look at these architectural design guidelines and standards, try to understand, because a standard is a requirement, right? A guideline is a suggestion. So, we're going to try and understand which things should have shall's and should's and then we're going to try and understand are these more meant for our pedestrian friendly areas like Canada Street? Or are they more meant for, you know, the back roads that have quasi residential, commercial use or even for, you know, the residential zones? It's pretty clear that a lot of it's not meant for residential zones, it's more meant for that Canada, Beach Road. And you're right, they are Village Codes so they do apply to the entire Village now, but there's a chance that at some point in time, those will be updated to more reflect the parcels in those specific areas.

Jon Lapper: And the shrink-wrapped boats are pedestrian unfriendly. They're kind of disturbing and he's permitted to keep them until the end of time, so this is an improvement.

Dean Howland: In front of the trees to the street, is that grass?

Devin Dickinson: Yes.

Dean Howland: Could you put stepping stones on there? The walk? I don't know what it does to the stormwater though, even though there's space.

Dan Wolfield: Are you going to do curbing?

Devin Dickinson: No, we're not going to do any curbing in there like that. We're not going to put any physical structure out there that would prohibit the Village from ever installing sidewalks if they wanted. There's plenty of room for a four-foot sidewalk.

Dan Wolfield: Question for Dan, has anybody looked at travel and flow based on their landscape plan on Sewell Street? Only because that street is so oddly shaped and his property goes into the street and if he's going to begin to use some of that property again, what happens to Sewell Street and can we possibly get something so?

Dan Barusch: Yeah, I mean we did discuss, I have reviewed this with Dave, and I think Keith has even looked at the plans a couple of times, there was a letter submitted to you guys about the access, ingress, egress access from Sewell you know the DPW's thoughts on it and they basically came back with you know we're happy that whatever is going there is being bumped back from the edge of right of way. They did have some comments about having native species, salt tolerant plants. We did talk at length about that stormwater infiltration area between, so I don't think they're going to have any more, I'll let Keith give input. He's DPW but, I don't think they're going to have any more issue with the landscaping area as opposed to the boat trailers that are.

Dan Wolfield: It would be nice to see my feeling is with the building going in the landscaping going in, it would be nice to see the Village put in a curb or something there that really reflects that space. I don't know if that.

Keith Lanfear: Well that being said, to refer back to what Dennis said, that's not Village property. It is an excepted right of way.

Dan Wolfield: Right.

Keith Lanfear: We do not have the right, without permission, to put any sidewalk or curb.

Dan Wolfield: You can't (inaudible) private property. Right.

Keith Lanfear: So again, what Dan said, it's paramount that because of where the boats are now, with the tongues in the street and so on, that having this building pushed back 14 feet, is the best thing that could happen, period. Regardless of what might happen in the future. If we decide to do sidewalks or other facility for pedestrians or anything else.

Dan Wolfield: Right.

Keith Lanfear: Having this setback is the best thing that could happen.

Dan Wolfield: So, can you at least, will you consider putting in an edge treatment, along where ever your grassy knoll is?

Keith Lanfear: Well, that'll be part of his project.

Dan Wolfield: But, how is that grass going to come to an edge or is it just going to go right to the pavement?

Devin Dickinson: Yeah, we we're just going to go flush to the pavement. I was hesitant to really put any kind of structure out there. As of right now Dennis has an agreement with the Village, that we've kind of given them a five foot from the edge of pavement just to maintain, snowplow and those types of things. So, we don't really want to put a hard structure out there per se.

Dan Wolfield: That they can plow over?

Devin Dickinson: Sure, yeah. Just kind of leave it nice and.

(inaudible)

Dean Howland: Yeah, well you're downhill from everything so.

Dan Wolfield: Ok.

Dan Barusch: Everyone familiar with the road by use concept? Somewhat familiar?

Dean Howland: Nope.

Dan Barusch: No, ok. On the survey maps that you've been getting, to date, actually a good example, the second page in the three-sheet set, that they have responded to. A road by use is essentially a road that has been used as such for a certain amount of years and a municipality can essentially take. When I say take, I mean we're mapping a paver street, a three-rod width over a certain boundary. So, while Dennis and a lot of the other people along this street, we just had a town project further down Sewell, their survey showed same thing. Most of them own halfway out into street. If you look on the Warren County DIS map, you will see a 50 foot right of way that shows up as Village road. It's theoretically not our property. If we were to go on Dennis' deeds and look at those meets and bounds, they explain boundaries that go right to the center of the road. So, Keith is right, it is technically not Village property, it's a road by use. We have mapped that three-rod right of way. That's usually when the trailers fall within that, is when I'm bugging Dennis to move them. So that survey shows the correct boundary lines for those two parcels per deed.

Carol Sullivan: Anyone else? Questions, comments? Do we want to see the new landscaping in front of the building before we move forward? Is there anything else we want to see? So, we don't want to see the new landscaping in front rendition?

Dennis Quirk: We promise if we produce that, we'll definitely do it. It's a good idea.

Carol Sullivan: Just trying to get away of where we are. Ok, what I'd like to do at this point in time, on Chapter 220-47 talks about the site plan check list and I'd like to go through that as a Board. I have it here. I'd be happy to read it out and make sure that we have what we need to move forward. Right?

Patricia Dow: Could you tell me that?

Dan Barusch: 47 or 48?

Carol Sullivan: It's 47. It's called site plan review application contact, contact site plan check list. I can read it to you. I printed it out for my own use.

(inaudible)

Carol Sullivan: Ok, let's get started. So, the check list. Number one, and again this is to be sure we have everything that we need in order to move forward.

- (1) Title of drawing, including name and address of applicant and person responsible for preparation of such drawing. Unless I hear somebody say we don't have that, I'm going to go ahead and mark it that we do. So, in the interest of time and clarity.
- (2) Boundaries of the property, plotted to scale, and including North arrow, scale and date.
- (3) Identification of view to the lake from public streets. I would say that's n/a.
- (4) Existing watercourses and wetlands.
- (5) Grading and drainage plan showing existing and proposed contours.

Dan Barusch: That is on page two of the new submittal. It has contours and the very thorough, not easy to understand, hydro-cad packet is right here.

Carol Sullivan: Ok. Ok, moving on.

- (6) Location, design and type of construction, proposed use and exterior dimensions of all buildings.

Dean Howland: Got that.

Carol Sullivan: (7) Location, design and type of construction of all parking and truck loading areas showing access and egress.

Patricia Dow: Kind of inferring that, right? I mean there's the parking.

Carol Sullivan: Well, Dennis has shown us with the balloons, where the forklift would go in with a boat so.

Dean Howland: But you're meaning where he went off the street.

Carol Sullivan: And that's already there. That's not changing, where you're coming in off the street and the parking for the Shoreline Boat sales building is not changing.

Dean Howland: Right.

Carol Sullivan: (8) Provision for pedestrian access.

Dean Howland: To what, the building?

Carol Sullivan: I'm just reading from the check list.

Dean Howland: Yeah.

Dan Barusch: Be one of things that needs an update.

Carol Sullivan: Ok.

- (9) Location, type and screening details of waste disposal containers and outdoor storage areas. That's not changing Dennis? No.
- (10) Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.

- (11) Description of the method of sewage disposal and location. That's not changing.
- (12) Description of the method of securing public water and location, design and construction materials of such facilities. That's not changing.
- (13) Location of fire and other emergency zones, including the location of fire hydrants. That's not changing.
- (14) Location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy. No change.
- (15) Location, height, size, materials and design of all proposed signage. And we will get to the signage but we do know what your intent is.
- (16) Location and proposed development of all buffer areas, including existing vegetation cover.
- (17) Location and design of outdoor lighting facilities.
- (18) Location, height, intensity and bulb type of all external lighting fixtures.

Patricia Dow: This downward facing lighting on the side sort of facing the alley way, is that the extent of the lighting?

Dennis Quirk: That and the sign, yes.

Dan Barusch: There's two on the inside of the lot. And then there's one that would illuminate the building sign adjacent to that alley way. You see those on the first map? They're dashed grey circles? Those are kind of perimeter bulbs around the lights. So, two inside the property and then the one would be where that sign is, if you look on the rendering.

Patricia Dow: How tall up, the downward facing lights on the inside of the property? How tall up are they going to be?

Tim Barber: On the building, they're going to be about 16 feet. Just above the blue, downward facing, you know, illuminate out.

Dean Howland: So, they're dark sky lights, basically.

Dan Barusch: They do the doorways, that's the way they're situated.

Dennis Quirk: Yep.

Tim Barber: Yep.

Carol Sullivan: Ok, so we do have that. Location, height, intensity and bulb type of all external lighting fixtures. That was number 18.

(19) Direction of illumination and methods to eliminate glare onto adjoining properties.

Walt Adams: Yes, downward lighting.

Carol Sullivan: (20) Identification of the location and amount of building area proposed for retail sales or similar commercial activity. We have that and retail sales is not changing.

(21) Proposed limit of clearing showing existing vegetation, including individual trees with a DBH of six inches or greater within the clearing line.

Dan Wolfield: There's no trees.

(inaudible)

Carol Sullivan: Right. (22) Landscaping plan and planting schedule.

(23) Estimated project construction schedule. That was addressed last month in the minutes. We show that.

(24) Record of application for and approval status of all necessary permits from state and county agencies. Of course, you know that you need those.

(25) Identification of any state or county permits required for the project's execution. Again, you know what you need.

(26) Other elements integral to the proposed development as considered necessary by the Planning Board.

(27) Stormwater management plan.

Patricia Dow: So, the stormwater management plan, you've gone through it?

Dan Barusch: I did a cursory review after Devin gave me the original copy. What we've done since that is for major projects, as you know, I did it with Ellsworth, we have Chazen who's our TDE or BDE come on board to do a review of the hydro-cad modeling work. What we've done, above and beyond that, is actually loop in the Park Commission because they've been doing their own review on the stormwater, you know, from their aspect of the entire marina permit. So, what we've done, we had a conference call last week, we got everybody on the same page because, you know, Chazen started reviewing and supplying comments to Devin. Joe Thoulm was reviewing from the Park Commission and providing separate comments to Devin. We coalesce everything into one review. Chazen will be doing back and forth with Devin. I think like the first letter had like a dozen comments on it, which is really not that much. With Joe's, Joe Thoulm's advisory input, you know, on the side from Park Commission, anything above and beyond that they might want to see, so we, you know, we're progressing with that. That's typically something that we can finish after review. All the time, the Town is giving approvals conditioned on Chazen sign off on the stormwater. So, as long as it meets our requirements, and that's what Chazen is reviewing for, that typically beats the Park Commission requirements because they're one in the same.

Patricia Dow: Because Sewell Street has a tendency to accumulate water.

Dan Barusch: Yeah, the Village also, over the past few years, the Village did a pretty extensive stormwater project on Dennis's property. It might have been prior to Dennis's purchase of the property, not sure. Keith might have. (inaudible) So, they put a pretty decent stormwater control device back in the field area behind the laundromat. It's connected subsurface to a lot of the stuff on the street and you know, the stuff that has been provided to date, the stormwater plan for this structure is, you know, it's doing what it's supposed to do. It's a retention and infiltration system based on the increase of impervious on that property. So, it's only modeled on the addition of the new building. And that's all in the hydro-cad modeling.

Patricia Dow: And is there maintenance, maintenance things that need to be done?

Dan Barusch: We typically try to sign a stormwater maintenance agreement with somebody that has to go through this modeling. Somebody's doing, you know, a small project, they're putting in eaves trenches, a really simple thing, which is what we call a minor project, we typically don't require any kind of evidence of maintenance, but that can be a condition if you guys feel that we should sign into an agreement, stormwater maintenance agreement, you know, on these new basins that are around the building. It's simple enough to do. We inspect those once a year.

Devin Dickinson: A stormwater report has provisions for maintenance and they will be bound to maintain it for the life of the marina permit as well. Now that's with the land, so if Dennis sells it, and somebody buys it, it runs with the land.

Patricia Dow: And that's a binding thing?

Jon Lapper: It's a conditional permit.

Devin Dickinson: Yeah, it gets written out and the plans are attached to the marina permit.

Patricia Dow: Is that because of the Park Commission or?

Devin Dickinson: Yes, the Park Commission, that's their standard procedure.

Carol Sullivan: Ok. Any other questions following what we just reviewed? One suggestion I would like to make, or actually impose, is there are three waivers being asked to be granted. One is the.

Dan Barusch: Four.

Carol Sullivan: Four?

Dan Barusch: Should be four.

Carol Sullivan: Alright, let's go through them. Stories shall not exceed 14 feet in height from the finished floor to the finished ceiling.

Dan Barusch: Yup.

Carol Sullivan: Ok? Well this is all the same one. This is E2B. And then F2D, the following materials shall not be used. That's the metal siding waiver?

Dan Barusch: Yup.

Carol Sullivan: And G1 is the sloped roofs?

Dan Barusch: Yup.

Carol Sullivan: Shall include eaves (inaudible) which are at least 18 inches in width. And the fourth is for gable roofs, the pitch shall be between 6:12 and 14:12. What I would like to see, is instead of answering that as a blanket to the criteria, I would like to see the criteria, each one of those have a separate criteria listing in your response to that. Ok so they are held out separately. Not as a group for this Board to review. So, having said that, I think we are going to ask you to submit that material to us. Do we need to have another planning board meeting?

Dan Barusch: I mean if you guys have outstanding concerns or thoughts on conditions down the road, you know, a time line really starts if we close the hearing tonight. The time line for approval starts from there.

Carol Sullivan: For the 62 days?

Dan Barusch: Yes.

Carol Sullivan: So that's where we're going with this. If we close the public hearing tonight, this Board has.

Dan Barusch: If you want them to submit new stuff after tonight, then we need to leave the hearing open.

Carol Sullivan: Correct. So, I think we have all agreed we don't need to see the plantings in front of the building, that we have faith that Dennis will do that? Is everyone happy with that?

Dan Wolfield: Here's a question, if they're coming back, is there a reason they can't at least provide us with a sketch of what those look like? I mean, not a formal version, but something that shows what it's gonna be, being that you will be coming back in front of us?

Devin Dickinson: Yup.

Dan Wolfield: That would be great.

Carol Sullivan: Ok so we are going to get some type of rendition. It doesn't have to be the glossy whatever, but to show the plantings in front of it. And then we are going to get for the four waivers that you're asking for, each one of them addressed individually according to the criteria that is specified. And if you could submit that to the Board, sooner rather than later, so that we're not sitting here at the next meeting, trying to review all of that, and making our comments, that would be really helpful. Ok, so since you are coming back next month, we will leave the public hearing open. Anything else? And when is next month's meeting?

Patricia Dow: The 16th.

Carol Sullivan: Yeah, so the next meeting is January 16th at 6:00pm.

Dan Wolfield: Will we be talking about the sign?

Carol Sullivan: Yes, we will get to that.

Dan Wolfield: Ok.

Carol Sullivan: Alright, the, let's move to the Shoreline Boat sign and there are some issues with this. Dan do you want to address them or?

Dan Barusch: Yeah. Which one of you did I tell?

Jon Lapper: We talked about it.

Dan Barusch: So, they're aware of our sign requirements. Basically, our regs state if it's one business, you're allowed two signs. Two wall signs, one wall, one freestanding. You know, continuous ownership properties, i.e. has multiple properties all owned by the same corporation or the same business entity is irrelevant. It's the two-sign max unless you want to go for a sign variance. So, what we have now, there's one freestanding and there's two wall signs on the existing Shoreline building, all three preexisting. So, if none of them change, there all what we call grandfathered in. If this sign is proposed and is followed through on, then he needs to rectify the count, the total count, which would be removing Planning Board

two to get the two. Once you change something that's grandfathered in and are non-conforming, once you amend it, that has to be brought into conformity. So, he has three. If he adds the one, he's got to knock two off. It doesn't matter which two really, but.

Jon Lapper: So, we've discussed that and Dennis wants the sign on the new building because it will look nice on that building and he'll keep the freestanding and remove the two building signs that are there now.

Carol Sullivan: Ok.

Jon Lapper: So that it doesn't require a variance.

Dan Barusch: Do you, would the Board like a separate sign application document? And we have our rendering which is what we usually get, and as I've also said a few times, we're updating our ordinance. We're going to be updating our sign ordinance. We're going to be minimizing the amount of signs that come through this Board. It's a little overboard that we review every single sign. You know, this is pretty much just letters on a wall but you're viewing it as part of the project. If you want a separate app, I'm sure they'd be amendable to it.

Dan Wolfield: I think this has all the information on it. I would like it, to see it attached to the sign application.

Dan Barusch: Ok.

Dan Wolfield: Page which has, to me documents the basic information.

Dan Barusch: Fill it out?

Dan Wolfield: In a full application but yeah.

Dan Barusch: Ok.

Dan Wolfield: Just their name. Obviously, I know it asks all the same questions, but this answers all the questions. At least that's my feeling.

Dan Barusch: Ok.

Dan Wolfield: Just to be systematic.

Carol Sullivan: Yeah, having worked in planning and zoning it is sometimes difficult when you're looking for something, especially if it's to find the sign information when it's buried into a project of this size. So, if we could keep that separate that would be great.

Dan Barusch: Ok so that is, we're going to have them fill out a separate application. It's going to be a separate fee. We'll have it as a separate item on the agenda. It could be one after the other or whatever, but that's how we'll figure out.

Patricia Dow: So, the sign is Shoreline Boat Sales Service and Storage? Service, Storage and it's not Shoreline Boat Co.?

Dennis Quirk: Correct.

Patricia Dow: Ok, and the service storage is yellow? Those letters?

Dan Barusch: White PVC lettering.

Patricia Dow: In the rendition it looks yellow.

Dan Barusch: Right at the top, north east corner, facing Route 9, height approximately 15, one-inch, white PVC lettering. Size is directed in specs below.

Patricia Dow: Does it look yellow to you?

Walt Adams: It does.

Patricia Dow: Ok. (inaudible)

Patricia Dow: But you intend it totally to be white?

Dennis Quirk: Correct.

Carol Sullivan: So, for next month, we'll review the sign. We'll review the criteria for each item, the waiver and since we're going to be here, we'll review some rendition of plantings in front of that blank space. That's it?

Dan Barusch: Then we'll do our SEQR.

Carol Sullivan: And we'll do our SEQR at that point in time and we will leave the public hearing open until then.

Dan Barusch: And just for everyone's edification, the question on SEQR, the action, the coordination, my determination as a professional, is that this is an unlisted action. You would then go and basically agree with or determine that it's the same thing. Out of respect, I did reach out to the Park Commission to see if they had any interest in a coordinated SEQR review for the unlisted action, which is, if I were to grant this, is optional, it's not mandatory for an unlisted action, but they declined my request. They do not like to do coordinated reviews and they prefer that we do ours individually from theirs.

Dean Howland: Is this short form too on this?

Dan Barusch: It's short form. It's unlisted, yup.

Carol Sullivan: Ok.

Jon Lapper: Thanks everyone.

Carol Sullivan: Thank you.

TAX MAP: 251.18-3-42

APPLICANT: IGGY ROVETTO

ADDRESS: 7 IROQUOIS STREET

ZONE: COMMERICAL MIXED USE

APPLICATION: CHANGE OF USE-SITE PLAN #1851

Planning Board

Minutes - APPROVED

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Application was tabled from November as Board has requested additional information. Applicant is proposing to convert existing office space into a dwelling unit comprised of numerous bedrooms, bathrooms and kitchen facility.

(inaudible)

Dan Barusch: So, no new items. Just those two for next month. That's it really.

Patricia Dow: Iggy?

Dan Barusch: Oh yeah, Iggy. So, we got word from the County on what he needed. I got a list for him. All the additional things he was going to need to add to his drawings. I don't know if that scared him or what because now, he's trying to find a commercial tenant for the spot. He has a lead on one so if that pans out, then he's not going to bother with the conversion. If it doesn't pan out then he'll get the drawings done by an architect and come back.

Dean Howland: (inaudible) but this is the basics of what you've got. He's got to get somebody that knows living, how many bathrooms you need, number of people, access to fire. Tom McKinney said there might be a four-inch main that comes into the building (inaudible). Sprinklers, and I said Iggy you can't do just sprinklers. And the only reason I did something for him cause I, it's my original building and I have the drawings (inaudible).

Dan Barusch: And the question on the Jamison's County review, they didn't need anything in terms of sprinklers. All they asked for was the existence of a bathroom, which there is one in there and they were fine with that project as long as they weren't doing any work inside or out. They didn't really need a permit for it.

Carol Sullivan: Ok we have some minutes to review. (inaudible) for the November meeting I had already sent Stephanie the comments on that.

(inaudible)

Carol Sullivan: But we can go through them. That's not to say we can't go through them, I'm just not in that loop for the November meeting. But if you guys have corrections on them, mention them tonight. Or if they're extensive you might want to email them to her. It's up to you. We do have the August minutes though. Do we have any?

Patricia Dow: Just on page two, the very bottom line, Mr. O'Conner replied that is was in existence. It was in existence. Second page, bottom line.

Stephanie Fregoe: Are you in August?

Patricia Dow: I'm in August.

Carol Sullivan: Oh, ok. Very bottom line.

Stephanie Fregoe: There we go. Thank you.

Patricia Dow: That was all I had.

Carol Sullivan: Anything else?

Dean Howland: Somebody left a coat.

Dan Barusch: Good job tonight, I wanted to say. The thoroughness of review and covering all the topics is, good job.

Carol Sullivan: Thanks. Anything else for the August minutes?

Walt Adams: Nope.

Carol Sullivan: Ok I will make a motion to approve the August 15, 2018 minutes as presented with the exception of the one correction on page two.

Patricia Dow: I'll second it.

Carol Sullivan: All in favor?

Dan Wolfield: Aye.

Dean Howland: Aye.

Walt Adams: Aye.

Dan Wolfield: Can I ask a few questions?

Stephanie Fregoe: Yeah.

Dan Wolfield: One is about sidewalk cafes?

Dan Barusch: Yeah.

Dan Wolfield: Are they supposed to go away at some point?

Dan Barusch: Yeah. So, I was hoping that somebody heard about it. They passed a law in the past couple months to allow those cafes to stay throughout the season, the winter season, as long as they followed a certain minimum list of requirements. One of which was staying open five days a week I think, right? Maintaining the snow, having decorations out there, bla, bla, bla. We tried, we tried you know voicing our opinion and concerns. Myself, DPW, DOT but you know, eventually the Village Board passed that law so.

Patricia Dow: So, the Marriot, obviously is still out there.

Dan Barusch: There's three right now that are, they are following the regs that were set in place and we have agreements with them, signed agreements. Marriott's getting theirs in tomorrow.

Stephanie Fregoe: Oh good.

Dan Barusch: So, you know they're following what the Village Board intended for them to follow. They adopted that law but basically you know, if any of them that have cafes that can meet those requirements throughout the off season, then they can keep theirs too.

Patricia Dow: So, what are the other two properties that?

Dan Barusch: Giuseppe's, right near Marriott and Café Vero.

Dan Wolfield: And Bella's?

Dan Barusch: Bella's, Adirondack Winery, Doug's, those are all permanent structure things that are kind of stuck there.

Dan Wolfield: Bella's has the wood one out front though.

Dan Barusch: The second tier?

Dan Wolfield: The lower tier.

Dan Barusch: Alright, I'll look at that. Are they open?

Carol Sullivan: Yeah, they are open but it's not Adirondack Winery, it's the Olive Oil Company.

Dan Barusch: That's it.

Carol Sullivan: Right.

Dan Barusch: Right and they have the permanent one and then Doug's thing is permanent.

Dan Wolfield: Bella's is not permanent.

Patricia Dow: Isn't Giuseppe's permanent? I mean.

Dan Barusch: No, it's got wood. Is part of Bella's permanent?

Dean Howland: Yeah, the upper part.

Carol Sullivan: Yes, the upper part.

(inaudible)

Dan Wolfield: And the two lower parts which are built incorrectly.

Dan Barusch: So, if they're meeting those things, then we would have them sign the agreement.

Carol Sullivan: So, two things since we're talking about local laws. Steph, I had asked you to put the proposed local laws on the, get them on the web page.

Stephanie Fregoe: Yes, Deb does that and I thought I looked real quick and they were there.

Carol Sullivan: Ok, I didn't have a chance to look. Ok.

(inaudible)

Carol Sullivan: Ok so what I asked for, was that our local laws are on our website and as is the code, General Code. But if there's a proposed local law, a: you have to know about it and b: you have to go into the Village to get a paper copy of it. So, what I asked for is for those proposed local laws to be put on the website so that, not just us, but anybody from the public can review them and comment on them if they wanted to. I was aware of the local law, the new law for the side walk cafes, but I never had the opportunity to go up to the Village to get the paper copy and comment on it. So, I think that will eliminate, because I am interested obviously in the local laws, you know just as a citizen, not just as.

Dan Barusch: And the good portion of them are planning and zoning related.

Carol Sullivan: Right and you should be aware of those.

Dean Howland: What section are they in? Are they in?

Carol Sullivan: If you just go to laws.

Dean Howland: It just says proposed laws?

Dan Barusch: Yeah, there is basically a list with all the links, you know local law 3-2018, local law and then usually in the title it has the name of the chapter. So, we did a few that were zoning code, Chapter 220 and you would see those. We did, you know, the subdivision code update and that was 220. The whole waiver thing, that was 220. Sidewalk cafes has been done.

Carol Sullivan: They're in our website because they don't go into General Code until the end of the year. So, if you're looking for something through the Village Code, whether you go to the Village website or not, just go to General Code, you have to back track to the Village Code, to the Village website to look through the local laws, to see if anything was passed that affects what you're looking at.

Patricia Dow: So, you're talking the Village of Lake George website, not the ECode?

Dan Barusch: Not ECode.

Patricia Dow: So, you have to go to the village and they have the links there?

Dan Barusch: And on the left, there's all the, you know, links to the menu. I think there's one that says laws.

Carol Sullivan: There is one, I use it all the time. So, there is one that says laws. Rather than going to ECode, I go there first and then get into ECode. But if you're looking at any of the laws for something that we're doing, you have to back track and make sure none of those laws that are passed this year affect what you're looking at. Because they will not be in General Code until the end of the year.

Dean Howland: Carol, I have one question. You asked them to take the four areas that are against the code. What are you expecting them to bring us?

Carol Sullivan: The provided us with a. Ok so you have this waiver request and this is the criteria that they have to write up why they believe they should get the waiver.

Dean Howland: Ok.

Carol Sullivan: They did that but they did it sort of as a blanket. So, for those four things that I read out.

Dean Howland: Ok, now I gottcha.

Walt Adams: We vote separately on each one.

Carol Sullivan: Right. Right.

Dan Barusch: I think that's a good idea. Clarity.

Dan Wolfield: Can we go back to the sidewalk café for a minute?

Dan Barusch: Yes.

Dan Wolfield: So, this means you can follow up in the spring and make sure they're not all in shambles?

Dan Barusch: Oh yeah.

Dan Wolfield: That was part of the original idea to bring them in because they're going to get destroyed in the winter.

Dan Barusch: I'm a little concerned about the Giuseppe's one. I'm not at all concerned about Dave Kenny's. He's probably put almost \$100,000 into that. So, I, knowing Dave and knowing the way he runs his businesses, and even if you drive by them today, you see one, two, three. Which one stands out? The Marriott. So, I don't, he used sleepers underneath. There're no posts or anything so it's actually relatively easy to lift up and move and clean. But we will keep an eye absolutely on those.

Dan Wolfield: An my other question is about the email dump.

Dan Barusch: Yeah.

Dan Wolfield: Which is my own personal thing. I'm on the road all day so, and if there's emails today (inaudible) and I understand for this project there's a lot of last-minute things going, so I'm ok working with this, but I don't want it to be habitual thing where we're getting this last-minute sign thing, or this info or that info.

Dan Barusch: It won't be that.

Dan Wolfield: I just want to make sure.

Dan Barusch: You know, we, part of it was what was asked for between last month and this month, they only had a certain amount of time to come up with because we had an early meeting followed by a late meeting. You know, we pushed November back. So, you know, part of it, actually half of it, is coming from John. The fact that that came in at the last minute, I mean I was out the door yesterday when we got that email with the 20 attachments. In certain cases, I won't even forward it to you guys. If it comes the day of or at the Town, we don't even except when people walk up to the dais, and try to, we don't even accept stuff at the night of. We like to have it.

Carol Sullivan: I would like to transition to that. I'm not saying we have to automatically make it a hard, fast rule, but I would eventually like us to transition into. I don't appreciate.

Dan Barusch: Last minute.

Carol Sullivan: Getting an attorney's letter in my email on the day of. I wasn't home today, most of the day. I had to read it on my phone.

Dan Barusch: And 20 docs is a lot to digest.

Carol Sullivan: Right.

Dan Wolffield: Yes.

Dan Barusch: I mean I was looking at that all night. I got it at 5 something last night. And you know, so I'll, we'll do our best. If it's relevant, we have to get it to you.

Dan Wolffield: Your message was helpful though with the details. And that's what I would appreciate.

Dan Barusch: Good. That's what, I'll always try to do that.

Dan Wolffield: You can send us the 20 things and for those of us that have the time to look at. Say ok, here's the 20 things. Here's the piece you need to look at. Look at this one, this one and this one.

Dan Barusch: Summarize. I will always try to.

(inaudible)

Stephanie Fregoe: And a lot of those I printed just to make sure you had them, knowing that they were last minute.

Dan Wolffield: Right, excellent.

Carol Sullivan: Another thing I asked Dan to do is if you forward something to us, and I'm a reader. I read everything, but if it's not something we have to opine on or be particularly concerned about, like it's information only, the information about Park Commission, or whatever, just up front, to just let us know. You can read this if you want to at your leisure, but it's not.

Dan Barusch: Relevant.

Carol Sullivan: Relevant or pertinent to Wednesday night's meeting and that I think that would help all of us as well.

Patricia Dow: I have a question. I do, in terms of the Marriott, that was several parcels together except he does own Giuseppe's also. That was not clear when we were doing all that planning about the Marriott. Some restraints that he had could have been eliminated maybe, a little bit if he'd incorporated parcel in there. You know, so the continuous lots by the same owner.

Dan Barusch: Two different businesses, that's the difference.

Patricia Dow: That one?

Dan Barusch: Because Quirk has one business that traverses three lots. Giuseppe's would be considered a different business than Marriott. They have different business licenses.

Dan Wolfield: The Marriot owns the property and at the time they never disclosed the property which was a common theme amongst that whole project. Just FYI for your information. Everything was in pieces and stages so there was no parking garage and there was no this and there was no that.

Dan Barusch: That's Dave.

(inaudible)

Carol Sullivan: Yeah. It was a piece mail project. The enormity of it was overwhelming and it was clearly a piece mail project. Not sure today that we would expect something like that.

Dan Wolfield: We learned our lesson to ask more questions and also the design guidelines are horrendous. I would be happy to work with you on them.

Dan Barusch: Yeah, it's going to be something that is reviewed with the Planning Board. You guys basically have the reign over it so, the common theme elsewhere, if you research them in other cities, towns, villages, is the specific regs that are either suggested or required, are lineated to certain areas. So, like I said, a lot of those things are meant for those, either side of Canada.

Dan Wolfield: They were meant for retail. They weren't even meant for hotels.

Dan Barusch: No, we're residential use. Sometimes if you look and go down Canada, none of them have a 6:12 pitch. Every single building has a flat roof. Yes, they're all pre-existing but that type of thing would not apply to any of the structures on Canada. So, you know, Doug came in with his sketch plan and proposed a 4:12 pitch on top of his building, he would be getting a waiver for it. So, it's things that we could fix upon what's in there, but also delineating. Here's how we want Canada Street to look. Here's how we want Beach to look and here's how, you know, Dieskau and Ottawa and all those side streets.

Dean Howland: It should be that way.

Dan Wolfield: The word monotonous is great. It came up during, it was a Courtyard discussion, during the Courtyard project.

Dan Barusch: And you can tell he did a lot to try and break up.

Patricia Dow: He did. Surfside did not. You know, very monotonous, dorm like.

(inaudible)

Dan Barusch: That's got that modern, the modern post retro type, Surfside.

Patricia Dow: Oh, wait that thing that doesn't fit anywhere else in the Village? That look?

Dan Barusch: I happen to like the design. It might not fit in with Village character but.

Dean Howland: You mean?

Patricia Dow: Surfside.

Dan Barusch: Surfside.

Dean Howland: Surfside. I don't mind it anymore. I did when it first when up. It's like driving coming out of TD Bank and looking at the hotel. I don't, it's been there so you don't mind it. From the water you sort of see the mountains behind it but it's got that coloring.

Carol Sullivan: Well, also what happens when you have guidelines, and it doesn't have to be architectural guidelines, but I'll just use them as an example. When somebody buys a building, it's very difficult to get, we want the street scape to look a certain way. Whether we get there or not is another question. Because when people buy the building and they come in and ask, ok, well I want to do some improvements, and you start down with this list of things, well can I just leave it the way it is and they do. It, you know, you're kind of caught between a rock and a hard place that you want the street scape to look like a particular thing, but then you have all of these requirements and it ends up being, forget it, I'll just leave it the way it is. Which is why many of the buildings on Canada Street look the way they do.

Dan Barusch: And stay the way they are.

Carol Sullivan: And stay the way they are. And also, we have the absentee landlords. I mean there's lots of people that aren't here so they're not going to do something (inaudible).

Patricia Dow: But I do, it is for me, and I don't know how the rest of you feel, but to me it is a quandary when you have these guidelines. Shall do this and shall do that, and the underlying aim of it, is to produce this visually more compatible, you know, even if the practicality might be that the people decide, oh know we're not going to bother. So, I understand the flexing of it but once you have something like that in place, if you grant this waiver and grant that waiver and grant this waiver, you might as well not even have it in place at all. So, I think that for the most part it's produced good results. I mean the Marriot, we could have never, you know, I mean he would have had it look like a Motel 6 on steroids and you know.

Carol Sullivan: Built like a hospital, the first one.

(inaudible)

Dan Barusch: I think the procedure that was put in place with the local law, you know, going through this criteria and assessing each thing and to Carol's point, individually, I think you guys will have, you know, the same procedure that's set in place for people that do waivers and I looked on examples today, because we've got a claim, you know, that what is happening is not a waiver and it is in fact a waiver. There are dozens and dozens of other communities in New York state, in New Hampshire, in Vermont, everywhere in the Northeast, and probably throughout the country, that give waiver authority to the Planning Board of site plan review and, or architectural requirements. The closest and best example is the Town of Queensbury. They give waiver ability to the Planning Board for things like parking and landscaping. If there are things in the Code that is not practical for that site, where it's not practical for that use or that time or that soil or anything, it's taken into account then they're given that ability to not require that per, you know, individual project basis. So, it's not, I think, you know, not everyone is going to be knocking on our doors, trying to get waivers, because they're going to know the procedure that you have to go through. It is pretty thorough and you really have to prove. You guys aren't sold on the reasoning for these waivers and your sold, say you're sold on two and not on the other two, you can approve a couple and not the others.

Carol Sullivan: That's why I asked.

Dan Barusch: Yeah, it's individually I think, you're looking at it, one, two, three, four. Yes, maybe one's fine and two, maybe it's irrelevant but you know, there's different considerations for each one. Some are site specific, some are building specific, so.

Dean Howland: Especially in this case.

Dan Barusch: Especially in this case. Yup, I mean, you know, there's stuff in that ordinance on sloped roofs and pitched roofs so you're dammed if you do, dammed if you don't. We could ask them to come back with a design for a flat roof but then they have to come back and provide us with parapet designs and all this extra stuff. That's not going to matter in that specific case. So, look at them individually, look at the answers they give you, look at criteria. Really try to assess, you know, you can print out a couple forms and jot down your own notes and then at the next meeting we'll go through them and see what people think about it. It's our first one. It's our first set of waivers. It won't be our last, I can guarantee that. So, you know, it's a trial type of thing but I think you'll get it right. What they can prove to you, you can say yes to and visversa.

Patricia Dow: So, and I have another question about the same business, different plots. I think that, I think it's helpful in instances when you're assessing something on part of the property, despite the different lot, to look at it as a whole and to know that this person has sort of a business plan and to make us aware of their business plan, for the entire piece of property, because I'm not going to drive down Sewell Street and just see the one.

Dan Barusch: Building.

Patricia Dow: Because I know that this is all, the marina off the lake, so to speak. Which is kind of a contradiction in terms anyway.

Dan Barusch: Yeah.

Patricia Dow: You know, but so the marina off the lake and I'm not going to, I'm going to be looking at it visually as a whole. And so, I really question that we can assess something per tax map, individually, if it's the same owner.

Dan Barusch: I mean you have a good point to look at things, you know, as an entire project. My response, you know, would be two different facets of this project. One is under our jurisdiction, right now, we're reviewing a building, he's proposing a new building. The other was the Village jurisdiction at one point. That was already approved last year. They came here for the change of use for the boat storage. Now the Village Code has no regulation on boat storage, other than it can be in this zone or that zone. You guys have proved the use there and relegated the rest of those regs, i.e. the count of the boats, their location, whatever, to the Park Commission. That then becomes a Park Commission's authority. That's why they're the ones reviewing that part of it now. Yeah sure, they can argue, you know, that we're splitting things up, but that's just, the case is that we no longer have jurisdiction on review of the amount of boats. You've approved the use. If say, theoretically we had a code section that says where ever there's commercial boat storage, you can only have 20 boats per acre, or something like that, then our jurisdiction comes back into play. Then we can say, here's this, this is a regulation you need to follow. Our jurisdiction still stands, you modify your approval from last year or whatever, but we, you know, the change in the number of boats is not anything that needs to be reviewed at this level.

Patricia Dow: So, the definition of boat storage, unless it's changed, is place, structure used to park or house a water craft for 30 consecutive days or more. A watercraft. So, I would argue that that needs to

be changed or modified and I understand there's not going to be a lot of boat storage places that might come up in Lake George Village, however that, it's just, it's just that kind of.

Dan Barusch: Ambiguity.

Patricia Dow: Right.

(inaudible)

Dan Barusch: Well you would remove the word a, the letter a.

Patricia Dow: I'm just saying in terms of being on the Planning Board and trying to kind of pay attention to all these things and realizing that we made a big assumption. We did that on the Marriot too, because we thought that actually we were getting the full story, but we weren't getting the full story. This is sort of similar.

Dan Wolfield: We had different people in place too at the time which made a big difference with the Courtyard project. This would have gone very different this time.

Patricia Dow: Yes.

Dan Barusch: I read about it all the time when I was trying to get the job. They're going to ask me questions about the Marriot.

(inaudible)

Carol Sullivan: Having said that, Dan's point about the boat storage. So, if and I wasn't, I don't think I was even working at the Village at the time. So, if, when that change of use came before you, and you said, and I'm just throwing numbers out there. Ok, you can store 300 boats there, but if the Lake George Park Commission came back and that was part of your commission, your conditional approval, no more than 300 boats, but the Park Commission comes back and says uh uh, you can only store 200 boats there. That, they have the jurisdiction.

Dan Barusch: Supersedes it.

Carol Sullivan: Right. On the other hand, if you said, ok you can store 20 boats there, and the Park Commission comes back and says, you can store 200 hundred boats, they're going to come back before us and say, you know, the Park Commission has said that I can store 200 boats there. So, you're going to have to have a meeting of the minds of what can actually be stored. That's how you would get at it because otherwise we don't have in our code, any jurisdiction.

Dan Wolfield: Each if asks different questions is really what it comes down to.

Dan Barusch: Yeah.

(inaudible)

Dan Wolfield: You know a good example tonight is, we're tasked with reviewing just this building at this point, is what we're tasked with reviewing. This building on this particular lot and the reality is, ok there's displacement of boats. Where do they go. What's the impact on the other project and is that something that they need to look into because wouldn't be our responsibility to look at whether the other piece met the boat count or not.

Dan Barusch: Well you guys are, you're still asking the questions.

Dan Wolfeld: We'd be asking the questions.

Dan Barusch: You not sitting here ignoring the property.

(inaudible)

Dan Barusch: You're not ignoring the fact that there's something else going on. It's not our control or jurisdiction or even ability to mandate. We could go out and say, you know, revise the application at a, b and c, and then we could say you need to limit the boats there to 50. The Park Commission is going to override that and say, you know, this isn't anything that was ever decided on. You guys have no regulation in the book to limit them to 50. You know, we've done this in the past and their permit currently is 200 boats.

Dan Wolfeld: Here, I'm going to give another example. So, Ellsworth little townhouse properties.

Dan Barusch: Yup.

Dan Wolfeld: We raised all kinds of questions about the retaining walls. I'm not a fan of retaining walls. Doesn't matter where they are. I don't like retaining walls because they all fall down. His are falling down.

Dan Barusch: Rubin's?

Dean Howland: Where?

Dan Wolfeld: Yeah. There's a couple things on the side. There're some stones hanging out and there's a couple pieces, you know, things that just aren't finished. But it's things like that that begin to bother me over time because, you know what? The thing's six feet high on one portion and it's five feet high on another and I might ask five questions about it. Well, can you make it lower, can you do this, can you extend it, can you do this and the reason behind that is a two or three high retaining wall is going to stand longer then a six foot or the eight foot one, before it starts wanting to go like this. It's just a matter of time, but it's once again, it's asking those questions or it's either that or putting into the motion that says that wall will be maintained.

Dan Barusch: Conditions are always good. I always suggest conditions and a lot of the stuff.

(inaudible)

Dan Barusch: And those are binding, so if you have thoughts on any project, not just the ones tonight, any project, we want to see this happen, we want to see that happen. Conditional approval on it, and then it's something that Doug and I follow up on for very project. You know, some of them, they have to complete prior to permit approval, such as a stormwater sign off, and some of them can't really be completed, like a wall, until construction starts.

Dan Wolfeld: Right.

Dan Barusch: But those things are binding and we do impose and, you know, enforce them.

Dean Howland: There was, that's why I asked if he could plant trees on the other side. The object of trying to put boats inside and stop shrink wrap and visibility. Then you've got 200 feet and you've got them all over again. You sort of lost, get this behind shrubbery and I don't really care. (inaudible) It's behind a bunch of trees and it is what it is.

(inaudible)

Carol Sullivan: So, do we want to approve the, or review the November minutes, or they're cumbersome? It's up to you guys. Or do you want to review them? We're going to have just as many next month.

(inaudible)

Patricia Dow: I went through and kind of penciled in where there's just. And it's just like, you know.

Dan Wolfeld: You print them?

Patricia Dow: Yeah, I did. You know, like this one, as long as it's 50 square feet. Take the s off. It's just stuff like that. Your instead of you're.

(inaudible)

Stephanie Fregoe: And some of those I did go back and catch and Carol caught some of those too.

Patricia Dow: I can just hand you these that I printed off where my pencil marks are and if you have questions on them.

Stephanie Fregoe: Sure. If you want those back and if not, they're already on the website to be reviewed and then they'll be updated once they're approved.

Carol Sullivan: Yeah, the draft minutes are always on the website.

(inaudible)

Stephanie Fregoe: I appreciate extra eyes on it because it is a lot.

Carol Sullivan: It is a lot. So, we will wait until next month to approve them?

(inaudible)

Patricia Dow: Yeah and so, I won't be here next month.

Carol Sullivan: Well, as I said, and if you have a conversation with Devin, or whoever is doing those criteria for those four items, the sooner they get them to us, the better.

Dan Barusch: Ok.

Carol Sullivan: Because if we have to sit and review them the night of the meeting and everybody is going to have input, it's going to put it off for another meeting. So, the sooner they get them, so if they can get them to us, and Patricia is still in town, she can email her comments.

Dan Barusch: Ok, I'll see if they can get them before Christmas.

Patricia Dow: I know that they had a big insistence on the entire Planning Board.

Dan Barusch: On what?

Patricia Dow: The entire Planning Board.

(inaudible)

Carol Sullivan: Yes, it was put off. Remember it was put off a couple times because we didn't have, so they may want to do that again. You know, Dennis isn't, obviously it's winter.

Dan Barusch: Yeah, I don't know that they're in a rush for it but we'll gage.

Patricia Dow: You might want to mention it because they have put it off a couple of times so, I'm not saying put it off, I'm not saying.

Dan Barusch: Hey, you guys may find that, you know, it's got to be tabled again.

(inaudible)

Dan Barusch: So, I'll try to get this stuff to you as soon as possible so you have it before the holiday break there.

Carol Sullivan: Motion to adjourn?

Patricia Dow: I'll make a motion to adjourn.

Dean Howland: I'll second it.

Patricia Dow: All in favor.

Dan Wolfeld: Aye.

Carol Sullivan: Aye.

Walt Adams: Aye.

Dean Howland: Aye.

Patricia Dow: Aye.

Meeting was adjourned at 8:30 pm.