

**LAKE GEORGE VILLAGE
26 OLD POST ROAD - LAKE GEORGE, NY
PLANNING BOARD MEETING MINUTES
DECEMBER 20, 2023 – 5:00 PM**

Board members present: Carol Sullivan – Chairman, Patricia Dow, Patrina Leland, Kevin Merry, Walt Adams, and Dean Howland.

Board members absent: N/A

Others present: Debonnay Meyers – Planning & Zoning Clerk, Dan Barusch – Director of Planning and Zoning, Mark French, Gregory Teresi, and Joe Mondella.

Carol Sullivan called the meeting to order at 5 pm.

NEW BUSINESS:

APPLICATION: SPR#25-2023

APPLICANT: MARK FRENCH ENTERPRISES, LLC / THE LAGOON – GREGORY TERESI

TAX MAP: 251.18-3-57

ADDRESS: 204 CANADA STREET

ZONE: COMMERCIAL RESORT

Applicant is seeking approval for one white, plastic 20' by 40' temporary tent to be placed on his second story balcony for his business, The Lagoon, during the winter months to accommodate more seating. Applicant did appear in front of the Zoning Board of Appeals on December 6, 2023, requesting one variance to relieve the two-week maximum for tents. The proposed timeframe of the tent would be starting in December and ending at the end of April (pending ZBA approval). The purpose of the tent would be to accommodate tourism events and larger crowds that would take place this winter season.

Mark French and Gregory Teresi were present to represent the Mark French Enterprises, LLC / The Lagoon. Carol Sullivan informed the Board of what occurred at the December Zoning Board Meeting. She explained that both Mark French and Gregory Teresi appeared in front of the Board to obtain an approval for one area variance. Specifically, that area variance would allow The Lagoon to have one tent on the second story patio starting December 2023 to March 18, 2024. Mark French confirmed what Carol Sullivan explained. Carol Sullivan asked for confirmation regarding the size of the tent. The application originally showed the measurements to be 20' by 40' but per the update they received, it shows new measurements of 10' by 20'. Mark French said that the tent would measure 10' by 20'.

Carol Sullivan opened the floor for questions in relation to the application. Walt Adams questioned if they would provide heating inside the tent. Mark French said there would be. He explained that the tent would have radiant heat and how well those heaters work currently to keep it warm inside. Patricia Dow had questions about the height of the tent. Mark French informed the Board that he didn't have a definite answer, but he believed the top of the peak was 14' high. Patricia Dow wanted to ensure that the pictures presented were the same tent but in different areas. Inside the application, one picture showed the inside with hanging lights and the other one showed the outside of the tent. Mark French confirmed. The Board reviewed the pictures presented to configure what the measurements would be as there wasn't a definite answer. Walt Adams said it looked about 15' high. Mark French stated that the peak would be 14' high and the sides would be 10' high.

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Patricia Dow asked how many high tops would be inside. Mark French said that there were four in there currently. He explained that he held a comedy show in the tent recently and he had approximately 60 people inside. Mark French stated with having the tent, it would really help his business profit wise. He said the profits made would be used to provide more hours for his employees and provide more servers each shift. He further explained that due to the new winter events, he would like to remain open year-round for tourists and locals to dine at his restaurant.

Mark French expressed that approving the application would help aid him in obtaining additional profit. He provided a current example that laid out what was occurring at The Lagoon. He explained that during the weekend, there would be long lines outside and it could deter customers from staying at his establishment. He concluded his example stating that allowing the tent would aid him in obtaining profits of approximately \$3,000 to \$4,000 each Saturday. Mark French wanted to state that if the Planning Board approved the application, it would allow his business to remain open during the off-season from 11 am to 10 pm.

Carol Sullivan wanted clarification whether this would be classified as adding additional seating or saving seating. Mark French said that it would be saving seating. He explained that in the off-season, he loses his outdoor space; and with losing the outdoor space, it removes a lot of his existing seating. Mark French then went on to explain the interior of his tent. He assured the Board that the tent would be heated, and the heaters would be hung by the metal part inside the tent. Carol Sullivan asked if there's certain rules and protocols he must follow when it comes to using those heaters inside. Mark French said per the fire code, it would have to meet certain criteria. He added that he would ensure that he would follow the protocol of being a certain number of feet away.

Carol Sullivan asked Patrina Leland and Kevin Merry if they had any questions. They said they had none. Dean Howland wanted to comment and expressed his feelings regarding the tent. He said that allowing the tent would be a great idea as it would assist the local businesses and aid tourists to find restaurants to eat at. Dan Barusch wanted to intervene and explain what the Zoning members were thinking of when they reviewed the application, just before the approval was made. He said that they were looking at the impact versus the benefit. In the wintertime, Lake George suffers economically as not many restaurants are open. With allowing the tent, it would help boost profits for the economy to rise during the off-season.

Carol Sullivan asked the Board for their final thoughts. The Board discussed what would be included in the motion. The Board agreed to approve the proposed application with the conditions that include: one 10' by 20' tent will be utilized on the second-story patio area that must be removed on March 18, 2024.

Walt Adams made a motion for the application created by Mark French Enterprises LLC, the Lagoon, with the tax map 251.18-3-57 at 204 Canada Street to approve the temporary tent to be removed at the specific time listed.

Carol Sullivan reminded Walt Adams to add in the change of size.

Walt Adams added to the motion to include the change of size, dimension of 10' by 20'.

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2nd MOTION: Patrina Leland

Carol Sullivan	Kevin Merry	Patricia Dow	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Motion carried.

Carol Sullivan wanted to inform the Board why Sean Quirk was removed from the agenda. Originally, the LG Boat Sales ticket booth would've been reviewed and possibly approved but based on the decision of the Zoning Board, he could not appear in front of them tonight. Carol Sullivan and Dan Barusch explained what Sean Quirk wanted to do, which was to remove the two existing ticket booths and create one ticket booth that would match the square footage of the two older ones together. As the outcome received wasn't expected, Sean Quirk told Dan Barusch about his new plan, which would include residing and re-shingling the current booths. Site Plan Review #24 would now be dismissed as there would be no review from the Planning Board. The records would remain on file, but no action would be taken.

Dan Barusch changed the subject to discuss other topics he wanted to go over with everyone. He indicated that there were updates regarding the Pancake House. Dan Barusch explained that Sean Quirk worked up a beautiful rendering for his plan to update the façade of the building. It looked magnificent, but he wasn't sure if Sean Quirk would go through with it. Based on the price of making the updates, it would be more expensive to do the updates than to demolish the building and build from the ground up. Dan Barusch said that regardless of what decision Sean Quirk makes, he would bring his application to the Board for review. Dan Barusch explained that he typically doesn't bring demolitions to the Board but because of the SEQR requirement, he's doing it.

Dan Barusch also wanted to include that State Historic Preservation Office (SHPO) would be coming into the picture for this project. He explained that if Sean Quirk wanted to go through the demolition route, SHPO would not allow him to do a full demolition until further investigation was done. Dan Barusch reminded the Board of what was found in the past and why Sean Quirk wouldn't be allowed to excavate any further than grade.

Dan Barusch concluded the discussion regarding Sean Quirk by telling the Board that the property was currently for sale and these proposed projects would help sell that property. He also reiterated what Sean Quirk told him about the new plans for the ticket booth. The Board had questioned the purpose of the office room on the 1st floor of The Anchor. Dean Howland said he assumed that area would be where ticket sales would be. Dan Barusch said he recalled it being discussed at that meeting, but Sean Quirk does want to keep the two ticket booths as they're both grandfathered in. Dan Barusch also added that if the office space at The Anchor was used for other purposes other than retail, Sean Quirk would have to re-appear in front of the Planning Board.

Carol Sullivan said she recalls what occurred. She inquired if that office space was going to be a retail/office area. He said yes. She then asked the question of "what are you selling in there?" and Sean Quirk replied with "I'm not really selling anything – it's where they're going to come and get their tickets". Dan Barusch interjected the memory and said right now, he doesn't know what Sean Quirk has up his sleeve for that space, but he will update the Board when he has updates. Carol Sullivan quickly added that Sean Quirk technically wouldn't need to be the one running the space. She said he could rent

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that space out to any business, and he would meet the criteria. Patricia Dow quickly joined the conversation to add that she recalls Sean Quirk saying that his wife would be in the retail area all day. Dan Barusch said that Sean Quirk has a lot on his plate and he's going to figure everything out. Dan Barusch did inform the Board that Sean Quirk does have an office on the bottom level of the Village Mall and maybe his plan would be to move that Village Mall office to the 1st floor of The Anchor. Dan Barusch said that may be what he's planning, but he would have to solidify that with him after the holidays.

Dan Barusch and the Board started discussing about the English Brook project and what was completed as of now. Dan Barusch explained that Schermerhorn was working with their site contractors right now and they're making progress. The Board asked where English Brook would be located. Dan Barusch explained that English Brook would be located outside of the Village on the left-hand side heading towards Warrensburg. Carol Sullivan chimed in and said around the area of where Number One Pizza is.

Dan Barusch wanted to take the time to explain the whole project, so all Board members were on the same page. Dan Barusch explained from beginning to end, starting with Schermerhorn buying Village and the Town property to where they are today. Dan Barusch explained that he had been keeping a close eye on the project and there's no issues as of now. He did request the Planning Board to check the property whenever they're near it as doing that would help him. He expressed that if they see any problems or any rule breaks, please report it to him as soon as possible. Dan Barusch said that the Village does have Jim Anagnos but his position as Code Enforcement Officer was categorized as part-time year-round. As it's in the off-season, Jim Anagnos isn't on as much as he typically is during the on-season.

Patricia Dow asked for updates relating to the apartments above Mezzaluna. Dan Barusch explained that they had a long conversation with the County about the Board's concerns. Dan Barusch said that per County review, if the stairs in the back were primary, they wouldn't require a second means. Dan Barusch continued by saying that the applicants were still shifting through options as to what they're going to do and if they're going to have furniture on the top decks. Dan Barusch also mentioned that Tom from the County would be coming down to inspect the building as he has a feeling that sprinklers may have to be added for it to be compliant. That would include adding sprinklers in each business within that building which alter or affect Stunad's Italian Ice and 163 Taproom. Dan Barusch said once he has updates, he will inform the Board.

MINUTES: NOVEMBER 15, 2023

Carol Sullivan wanted to switch the conversation to talk about the previous meeting minutes. Carol Sullivan asked the Board for their thoughts about the November 15th minutes. The Board reviewed the minutes and had come to a mutual agreement to approve those minutes.

Carol Sullivan made a motion to approve the November 15th Planning Board meeting minutes as presented.

2nd MOTION: Patricia Dow

Carol Sullivan	Kevin Merry	Patricia Dow	Walt Adams	Patrina Leland
Aye	Aye	Aye	Aye	Aye

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Aye = 5 Nays = 0 Motion carried.

Carol Sullivan wanted to bring the Windsor Motel to Dan Barusch's attention. She explained that the wall has deteriorated and there's a pile of dirt near it. Dan Barusch said he's been made aware of it and Jim Anagnos was on it. Dan Barusch explained that the owner has been hard to get in contact with as multiple letters were sent. Debonnay Meyers said the mailing address wasn't correct and recently, she found a new one for Jim to use. She just mailed it out the other day.

Dan Barusch wanted to inform the Board about what Jim Anagnos has done so far. He explained that Jim Anagnos has sent over 200 letters this year and has gone above and beyond. He added that he gives him a list of places to check on and he will do it. Carol Sullivan wanted to express her gratitude for Jim Anagnos as he's doing a wonderful job as the Village's Code Enforcement Officer. The Board and Dan Barusch continued the conversation to continue talking about maybe proposing to increase his hours. Dan Barusch said that with the job, it may increase other responsibilities that don't relate to his job description. Dan Barusch expressed to leave the position as is as that is what Jim Anagnos likes about it.

Dean Howland provided a suggestion to Dan Barusch about the wall. He explained that if Dan Barusch called DEC, they would push for the owner to make that correction as soon as possible. Dan Barusch said the letter Jim Anagnos sent asked for the owner to fix the wall, but he would leave that suggestion as a possibility for future use. The Board and Dan Barusch concluded the conversation by talking about other properties with code violations.

Motion to adjourn by Patricia Dow at 5:24 pm., seconded by Carol Sullivan, and unanimously carried.