

APPROVED

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

Board members present:

Robert Mastrantoni – Chairperson, Patricia Dow, Dan Garay, Ed Kokalas (alternate), Chuck Luke

Board member absent: Patty Kirkpatrick

Others present:

Doug Frost (Enforcement Officer), Carol Sullivan (Secretary), Nick Chiaravalle, Horst Schwemmein, Luisa Craig Sherman, Dan Wolfeld

Robert Mastrantoni opened the meeting at 6 PM.

NICK CHIARAVALLE

TAX MAP: 251.18-3-38

APPLICANT: NICK CHIARAVALLE

OWNER: MIKE RILEY

SITE PLAN: 1004

SIGN APPLICATION: 1005

SITE PLAN: Moving Alien Encounter from 255 Canada St. to 139-143 Canada St. This is a change of use as the business was previously occupied by a food service establishment (MMMM...Waffles).

SIGN APPLICATION: Applicant is moving current sign to new location.

- Nick explained he is planning on moving his current business, Alien Encounter, to a new location, 139-143 Canada St. This location was previously occupied by MMMM....Waffles.
- Patricia Dow asked Nick about the type of window displays he would be having. At the current location there is a large alien-type figure in the window. Nick explained that he doesn't have room to use that figure and will likely use smaller figures (life size or smaller) set up behind the counter.
- He added he may have some retail items in the front area.
- He is keeping the counter and this is where people will pay when they enter.
- Nick indicated his sets will wrap around through what is now a storage area. The exit(s) will be at the end of the displays - at the back of the building.
- The sign will hang under the overhang, facing Canada St. The board discussed the clearance of the sign from the sidewalk.

MOTION: Patricia Dow to approve the Site Plan application to move Alien Encounter from 255 Canada St to 139-143 Canada St. Exits will be at the rear of the building. The window display will be set back behind the counter.

2ND MOTION: Dan Garay

Robert Mastrantoni	Patricia Dow	Dan Garay	Ed Kokalas	Chuck Luke
Aye	Aye	Aye	Aye	Aye

Aye – 5 Nay - 0 Motion carried.

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MOTION: Chuck Luke made a motion to approve the sign design contingent upon having a clearance from the sidewalk to the bottom of the sign of 8 feet. If 8 feet cannot be met then the sign must be adjusted (the applicant stated he could remove the lower portion of the moon) or seek a variance.

2ND MOTION: Dan Garay

Robert Mastrantoni	Patricia Dow	Dan Garay	Ed Kokalas	Chuck Luke
Aye	Aye	Aye	Aye	Aye

Aye – 5 Nay - 0 Motion carried.

HORST AND BARBARA SCHWEMMLEIN

TAX MAP: 251.18-3-36

APPLICANT/OWNER: HORST AND BARBARA SCHWEMMLEIN

SITE PLAN: 1002 - SUBDIVISION

- The Village Pub and The Inn of Lake George (B & B) are currently on one lot. The owner would like to subdivide so that each business sits on a separate lot.
- There will be no new construction or enhancement.
- Proposed lots A and B as shown on the final subdivision map will meet the minimum CMU requirement of 5,000 square feet.
- The lot is being divided at the side yard where the minimum setback requirement is zero.
- The two buildings are not connected; there is a stairway between the two buildings which provides an additional exit for the B & B.

MOTION: Chuck Luke made a motion to approve the subdivision as proposed.

2ND MOTION: Ed Kokalas

Robert Mastrantoni	Patricia Dow	Dan Garay	Ed Kokalas	Chuck Luke
Aye	Aye	Aye	Aye	Aye

Aye – 5 Nay - 0 Motion carried.

MINUTES

January 20, 2010

MOTION: Patricia Dow made a motion to approve the minutes with one change – 2009 in the header should be changed to 2010.

2ND MOTION: Robert Mastrantoni

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

Aye – 4 Nay - 0 Motion carried.

Additional discussion:

The Planning Board will meet @ 6 PM in March.

WINDOW DISPLAYS – the board believes there should be a section in our code which addresses window displays. Robert reminded the board that they will be working on window displays for the March meeting and everyone should review the packet Carol prepared on how other municipalities handle window displays. Carol added that the alternates could be part of the discussion if they choose and if anyone is not available they can e-mail, mail, etc. their comments to the Village office.

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MERCHANDISE ON THE SIDEWALK – always seems to be an issue. Carol explained (Chapter 186-7 A (1)) addresses encumbrances on the sidewalks and it essentially states that there can't be merchandise for sale on public or private sidewalks. There is another section (Chapter 186-7 A (2)) which essentially states that nothing can encumber a village sidewalk. There have been a couple of property owners/business owners who have spoken with the zoning office about this section of the law. Carol has advised they should approach the Village Board about changing it and that she doesn't believe anyone has approached the Village board. Nia Cholakakis, owner of Shepard Square, suggested having something like the sidewalk café rule. When speaking to Nia, Carol pointed out that such a rule would regulate merchandise on Village property (Village sidewalks). If we allow merchandise outside on Village property then the door is opened for allowing merchandise out on private property. Currently, we don't allow merchandise to be displayed outside but for "sidewalk sale days" and we don't allow encumbrances on Village sidewalks though some people have put out benches and chairs (Wood store in Shepard Square). Robert expressed concern that allowing merchandise outside would become just another thing for the Village to police.

SIGNS - Luisa questioned the sign ordinance and the time limit for compliance. Carol and Doug explained, freestanding signs are grandfathered but if they are changed in any way they must be brought into compliance. There is a 5 year time limit for all other signs that are not in compliance. That time period expires in October 2010. Luisa talked about whether or not there is anything in place to ease the transition. A notice will be included in business license renewals that all signs, except freestanding, signs must be brought into compliance by October 25, 2010. With the April notification in the business license renewal, people will then have 4 or 5 months to comply and many people have been aware of the 5 year time limit. A variance can be sought. Robert mentioned that it appears that the Town's sign requirements are quite a bit different from the Village's and this presents some problems. Carol mentioned that while the Town requires sign permits they don't regulate the size, etc as the Village does. Signs in the Town have to comply with the Lake George Park Commission and Robb Hickey reviews the applications. The design etc. does not go through the Town's Planning meetings. Robert feels the signs should be more in sync between the Village and Town.

MOTION: Robert Mastrantoni made a motion to adjourn at 7 PM.

2ND MOTION: Patricia Dow

Robert Mastrantoni	Patricia Dow	Dan Garay	Ed Kokalas	Chuck Luke
Aye	Aye	Aye	Aye	Aye

Aye – 5 Nay - 0 Motion carried

Respectfully submitted.
February 22, 2010
Carol Sullivan