

**LAKE GEORGE VILLAGE PLANNING BOARD MEETING  
MARCH 17, 2021 – 5:00 PM  
VILLAGE ADMINISTRATION BUILDING  
26 OLD POST ROAD - LAKE GEORGE, NY  
MEETING MINUTES**

**Board members present:** Carol Sullivan (Chairperson), Patricia Dow, Dean Howland, Walt Adams, Dan Wolfeld, and Patrina Leland (Alternate)

**Board members absent:** N/A

**Others present:** Dan Barusch (Director of Planning & Zoning), Lori Bott (Clerk), Greg Teresi, Ethan Hall, Brian Harvey, David Stanton, Steve Thurston, Laura Foppe, and Daniel Margolis.

Dan Barusch welcomed everyone, announced that the meeting is authorized by 202.1, and that the public is invited via zoom. This is not a public hearing but the Board can invite members of the public to speak. The meeting is being recorded and the recording will be transcribed into meeting minutes that will be available on the website.

Carol Sullivan called the meeting to order at 5:02 p.m.

**TAX MAP: 251.18-3-55.2  
APPLICANT: TIKI TOURS, LLC  
ADDRESS: 3 LOWER MONTCALM STREET  
ZONE: COMMERCIAL MIXED USE  
APPLICATION: SPR3-2021**

Applicant is proposing adding an additional 28' x 14' boat for charter services and will continue operations from the Lake George Beach Club marina.

The Board asked if the Applicant has received approval from the Lake George Park Commission. Applicant stated that they are on the Lake George Park Commission agenda for next Tuesday.

The Board noticed that the letter submitted by the Applicant is dated 2020 and references a 26-foot boat. Applicant confirmed that it was an older letter and that the request is for this year and will be a 28-foot boat.

There was a discussion regarding customer parking, railings, noise levels, responding to lightning storms, travel speed, littering, how many passengers they had last season, locations, and safety concerns. The Applicant said that they have never had an issue with customer parking, nor have they received any noise complaints. The boat will be equipped with a standard marina radio with no amplifier. The railings will be inspected by New York State Parks and Recreation and conform to all safety rules and regulations. The Captains follow the standard charter boats rules and continuously monitor the weather conditions. Before leaving the dock the Captains review safety procedures with all of the passengers including not littering, remaining seated, and not drinking in excess. Last year they had about 400 charters. The boat has passed all stability tests.

Motion by Dan Wolfield to approved the second Tiki Tours boat as presented, noting a change to the original letter and noting a change of the size from 26 feet to 28 feet and approve the use of the new vessel operation in the Village.

**2<sup>nd</sup> MOTION: Carol Sullivan**

Carol Sullivan	Patricia Dow	Dean Howland	Walt Adams	Dan Wolfield
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Motion carried.

**TAX MAP: 251.14-2-12**

**APPLICANT: 46 AMHERST LLC**

**ADDRESS: 46 AMHERST**

**ZONE: COMMERICAL MIXED USE**

**APPLICATION: SPR4-2021**

Applicant is proposing adding a second story addition approximately 10' x 45' to the west side of the existing building above the previously approved first floor addition. The expanded space will allow the enlargement of the existing bedroom and kitchen/dining space within the existing apartment.

The Board and the Applicant discussed the second story addition. There were numerous questions regarding the new roof, water runoff, deck plans, moving the door to the apartment from the outside to the inside a current storage closet. The Applicant noted that the owner requested some of these changes just a few days ago and that the drawings had not been updated.

The Board decided to table the matter until the April Planning Board meeting to allow the Applicant to submit a second-floor plan, roof line plan, full south elevation, details for stair removal, and details for storm water system. Applicant will have until the end of next week to submit all of the information requested and be on the agenda for the April Planning Board meeting.

It was noted that the Applicant submitted a SEQR, but it is not required for this project. The original file will be updated to indicate that the application is a TYPE II, and the SEQR will be removed from the file.

**TAX MAP: 251.18-3-38**

**APPLICANT: BRIAN HARVEY**

**ADDRESS: 143 CANADA STREET**

**ZONE: COMMERICAL MIXED USE**

**APPLICATION: SPR5-2021 CHANGE OF USE**

Applicant is proposing a counter service Mexican restaurant in the former Kilwins Ice Cream Parlor. There will be 20 seats over roughly 600 sq. feet of dining space.

The Board and Applicant discussed the bathroom and the number of seats and tables, but it was noted that the Planning Board does not oversee this, and the DOH and the County will review any requirements with the Applicant.

The Applicant let the Board know that Taqueria Paloma will be the name of the restaurant.

Motion by Patricia Dow to approve the change of use proposed for 143 Canada Street from Kiwlins Ice Cream Parlor to the counter service Mexican restaurant with the rough drawing as proposed and the explanation.

**2<sup>nd</sup> MOTION: Carol Sullivan**

Carol Sullivan	Patricia Dow	Dean Howland	Walt Adams	Dan Wolfeld
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Motion carried.

**TAX MAP: 251.18-3-46**

**APPLICANT: GEORGINE SHULMAN**

**ADDRESS: 211 CANADA STREET**

**ZONE: COMMERICAL MIXED USE**

**APPLICATION: SIGN-1-2021**

Applicant is proposing a surface mount sign, mounted to the facade of the building. The sign will be a two-piece sign; an oval shape for the pretzel graphic and a rectangle shape for the "Auntie Anne's" lettering. The dimensions for the sign will be 18" w x 21" h x 3 ¾" d for the pretzel graphic and 13 ¾" h x 8' l x 3 ¾" d for the lettering.

Carol Sullivan let the board know that the applicant was granted a variance for the sign. The Board noted that the sign is mandated by corporate and the size meets the Village requirements.

Motion by Walt Adams to accept the sign as designed and proposed.

**2<sup>nd</sup> MOTION: Carol Sullivan**

Carol Sullivan	Patricia Dow	Dean Howland	Walt Adams	Dan Wolfeld
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Motion carried.

**TAX MAP: 251.18-3-46**

**APPLICANT: GEORGINE SHULMAN**

**ADDRESS: 211 CANADA STREET**

**ZONE: COMMERICAL MIXED USE**

**APPLICATION: SPR6-2021 CHANGE OF USE**

Applicant is proposing an Auntie Anne's soft pretzel store with an outdoor patio for dining and drinking. The patio will not require a sidewalk café permit. The project will require a sanitary sewer connection to Canada Street through the existing sidewalk.

The Board discussed the Applicant's proposal. The chair height was discussed as well as the colors. The Applicant confirmed that the tables will be polished silver and the railings will be a brushed silver with frosted glass panels. The Board has no issue with the design or colors of the railings, but the County will have to approve the railings. If the County requires changes to the railings, the Applicant will need to send Dan Barusch the final plans. The Board also noted that the building will need a fire and safety inspection. The Board and the Applicant discussed the possibility of crowds forming. The Applicant discussed their plan of action to address any potential crowds.

The Board discussed the sanitary sewer connection to Canada Street and the requirement for a bond to ensure the work is done up to the standard of the Village. Several options were discussed, including a traditional bond, a check from the Applicant in the amount of \$27,000.00 for the Village to hold in escrow and to be returned to the Applicant upon satisfactory completion of the project, or having the Village contract with Ellsworth & Son Excavating directly and the Applicant paying the Village for the work up front. The Applicant expressed that he has a significant amount of capital tied up in the project and does not wish to have to pay additional fees to acquire a bond. The Applicant went on to say that they selected Ellsworth & Son Excavating even though their bid was significantly higher than their competitors to complete the sanitary sewer connection because it was expressed to the Applicant that the Village would prefer Ellsworth & Son Excavating complete the project. The hope had been that if they went with the Village's preferred company, they could avoid the additional costs and time spent to acquire a bond. After a discussion between the Board and Applicant it was determined that the Applicant would prefer to send the Village a check in the amount of \$27,000.00 to be held in escrow and returned to the Applicant upon satisfactory completion of the project. The Board will speak to the Village Board to confirm that this is acceptable to the Village and will inform the Applicant. It was noted that securing the bond is not the approval to start work. The Applicant will need approval from Operator Tim Shudt and Superintendent Keith Lafear to start the project.

Motion by Patricia Dow to approve the change of use at 211 Canada Street changing from a store to Auntie Anne's with the inside proposal as presented.

**2<sup>nd</sup> MOTION: Dan Wolfield**

Carol Sullivan	Patricia Dow	Dean Howland	Walt Adams	Dan Wolfield
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Motion carried.

Motion by Carol Sullivan to add to the above change of use motion that the applicant will satisfy the concern of whether or not the project is completed by giving the Village of Lake George \$27,000.00 to be held in a noninterest-bearing account repaid to the Applicant when the Village of Lake George signs off on the completion of the project.

**2<sup>nd</sup> MOTION: Patricia Dow**

Carol Sullivan	Patricia Dow	Dean Howland	Walt Adams	Dan Wolfield
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Motion carried.

Dan Barusch let the Applicant know that they can now work on obtaining the building permits from the County and asked that they send three sets of plans as soon as possible to start the process. Dan Barusch reminded the Applicant to complete all the necessary steps to comply with the Department of Health. In addition, they were told to work with Lori Bott to obtain a business permit.

**MINUTES:**

**February 17, 2021 (CS, PD, DH, WA, PL)**

Carol Sullivan asked for any comments to the minutes for February 17, 2021.

Patricia Dow noted that on page 1, Bohemian Roots is misspelled and will need to be corrected.

Patricia Dow and Carol Sullivan requested that the motion on page two with regarding to the roof reconstruction be changed from, "...where the water is going to drain..." to "...where the water will drain into."

Carol Sullivan made a motion to approve the minutes from February 17, 2021 as presented with the one change that was discussed on page 2 of 4 in the section pertaining to the motion and the spelling of Bohemian Roots on the first page.

**2<sup>nd</sup> MOTION: Patricia Dow**

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

Aye = 4 Nays = 0 Motion carried.

Carol Sullivan asked for any housekeeping issues that need to be discussed. Dan Barusch brought up the newly painted bright blue building on Canada Street and let the Board know that the owner will be coming in front of the Board next month, after the fact. It was stated that there is a hope that the meetings will be able to be held in person beginning in May, if everyone has received a vaccine, we have herd immunity, and low numbers.

Motion to adjourn by Carol Sullivan at 6:49 p.m., seconded by Patricia Dow, and unanimously carried.

Respectfully submitted,  
Lori M. Bott