

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
APRIL 18, 2018
PLANNING BOARD MINUTES**

Board members present: Patricia Dow (Chair Person), Chuck Luke, , Dan Wolfield, Walt Adams (Alternate)

Board members absent: Carol Sullivan (Chair Person), Dean Howland

Others present: Dan Barusch, (Director of Planning and Zoning), Stephanie Fregoe (Clerk), Heath Mundell, Fred Austin, Peter Jensen, Kris Dawson, Evan Jalazo, Rubin Ellsworth, Grant E. Fish II, Tom Hutchins, Mohammad Tariq, Alex Shmulsky, Sean Quirk, Gary & Suzy Foss, Bill Robinson, Gregory Teresi, Tom Horn

Patricia Dow called the meeting to order at 6:00pm.

**TAX MAP: 251.14-3-6
APPLICANT: BRETT LANGE
ADDRESS: 275 CANADA STREET
ZONE: COMMERCIAL MIXED USE
APPLICATION: CHANGE OF USE #1812**

Applicant is proposing to change indoor amusement facility (Magic Castle Golf) to retail.

Applicant was not present. Dan Barusch addressed the Board and explained that Mr. Lange was well aware of the date and time of this meeting. He asked the Board how they would like to proceed. Mr. Wolfield and Patricia Dow asked about the room at the back of the store and what the intended use would be. Dan Barusch explained that each business in that location would be getting a storage room, and he also confirmed that the roof is not being changed.

Dan Wolfield made a motion to approve the change of use application at 275 Canada Street from indoor golf to retail use with storage as described.

2nd MOTION: Chuck Luke

Patricia Dow	Chuck Luke	Dan Wolfield	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

**TAX MAP: 251.18-3-70
APPLICANT: EVAN JALAZO
ADDRESS: 14 BEACH RD, UNITS 4 & 5
ZONE: COMMERCIAL MIXED USE
APPLICATION: CHANGE OF USE # 1814**

Applicant is proposing an amusement/entertainment business, live escape room game. North Country Escapes, LLC.

Mr. Jalazo addressed the Board. He is proposing changing the current use of retail to amusement. The escape rooms cover approximately 2,000 square feet across two store fronts. He will have four

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themed rooms with free standing partitions, eight-foot high partitions. Walls are prefabricated from a company in Canada, all pre-designed. There will be a control room with monitors and microphones, where employees can see and hear everything that goes on in each room. There are no public restrooms at this location. There are public restrooms located across the street. Doors that players walk through remain open. There is always a front door and a back door. Closed doors are locked with a magnet and open when a clue is found. In case of a power outage, all magnets release.

Chuck Luke made a motion to approve the change of use for 14 Beach Road from retail use to amusement/entertainment use with the design and plan as presented.

2nd MOTION: Dan Wolfeld

Patricia Dow	Chuck Luke	Dan Wolfeld	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

TAX MAP: 251.18-3-70**APPLICANT: EVAN JALAZZO****ADDRESS: 14 BEACH RD, UNITS 4 & 5****ZONE: COMMERCIAL MIXED USE****APPLICATION: SIGN #1816**

Applicant is proposing two signs. One sign will be 52" x 16" on building face, attached to existing sign bracket. The second sign will be 17.5" x 20" and will hang over the entrance door. Each sign will have a 1" red or white border with white vinyl letters.

Mr. Jalazo has two variations of the signs. He prefers the ones with the red borders. Patricia Dow asked about the square footage of the longer sign. The existing sign (the Old Curiosity Shop) is too big and was supposed to be 25 square feet as approved in the minutes from the July 2015 Planning Board meeting. Mr. Barusch explained that the sign was probably not measured after it was installed. The current long sign being proposed is 29 square feet. Heath Mundell said he is fabricating the sign and he can reduce the size as required. He can keep the height the same and just reduce the length to meet the maximum 25 square feet allowed. The smaller sign size proposed is allowed by code according to Dan Barusch as it is not a projecting sign.

Walt Adams made a motion to accept the design and colors of the signs with red borders, as presented, with the reduction in the length to fit with codes.

2nd MOTION: Patricia Dow

Patricia Dow	Chuck Luke	Dan Wolfeld	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

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**TAX MAP: 251.18-4-5
APPLICANT: GRANT FISH
ADDRESS: 109 CANADA STREET
ZONE: COMMERCIAL MIXED USE
APPLICATION: SIGN #1815**

Applicant is proposing a sign for his business Adirondack Zombie Hunters LLC. Sign will be 40" high x 88 inches wide with the colors of white, black and green.

Dan Wolfield addressed Mr. Fish and stated that the proposed sign is very busy with the phone number and web address. Mr. Wolfield asked if the phone number and website could be displayed on the windows instead. Mr. Fish would rather not remove those items from his sign and does not want to cover up the windows. The public can currently look through the windows and see everything on display. He is willing to make those changes if needed in order for the Board to approve his sign. Chuck Luke and Walt Adams agreed that the sign is busy but are not opposed to it. Patricia Dow stated that approved signs generally do not have contact information, just logo and graphics. Mr. Fish stated that removing those items might hurt his marketing capabilities and his goal is to not block the windows. He would like more visibility of his business through the windows. Not allowing businesses to list their phone and address on their main piece of advertising is counterproductive. Dan Barusch noted that many towns across the country do prohibit this.

Ms. Dow stated that she is ok with the color of the sign and the logo. She would like to see the phone number and website relocated onto one of the big windows. Mr. Fish asked the Board if he would need to submit another application for the windows. Ms. Dow stated that he would not.

Dan Wolfield made a motion to approve the sign at 109 Canada Street as presented with green colors and white lettering, with the exception that the website and phone number will be dropped off and used most likely somewhere on the windows.

2nd MOTION: Patricia Dow

Patricia Dow	Chuck Luke	Dan Wolfield	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

**TAX MAP: 251.18-3-43
APPLICANT: ANTHONY FIDD JR
ADDRESS: 181 CANADA STREET
ZONE: COMMERCIAL MIXED USE
APPLICATION: SIGN #1817**

Applicant is proposing a sign 84" x 32", rectangle in shape with a bump out and scalloped corners. Sign will be made of high density sign foam with an ivory colored background. Black border will be 1.5" wide with gold outline. Letters will be 23K gold leaf and black and sizes will be 10", 7" and 3" as shown.

The current tattoo business name is Extoria and is being changed to Lake George Tattoo Company. Patricia Dow confirmed with Mr. Fidd that the height of the sign is 32" and includes the scalloped edge on top. The new sign will fit exactly where the current sign is located.

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Walt Adams made a motion to approve the sign and except the new name at 181 Canada Street with light yellow back ground, border and design as presented.

2nd MOTION: Dan Wolfield

Patricia Dow	Chuck Luke	Dan Wolfield	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

TAX MAP: 251.18-4-5**APPLICANT: ROBERT SMITH****ADDRESS: 111 CANADA STREET****ZONE: COMMERCIAL MIXED USE****APPLICATION: SIGN #1818**

Applicant is proposing a 7' x 3' sign to be added to an existing, free standing pole above the current Haunted House sign. The height from ground level to top of the sign will be 16'. The sign will be flat with a black background, white vinyl lettering and no border. Sign will be lit with internal LED lighting.

Applicant was not present. The Board tabled the application for next month as they have questions for the applicant.

TAX MAP: 251.14-3-22**APPLICANT: GARY FOSS****ADDRESS: 430 CANADA STREET****ZONE: COMMERCIAL USE****APPLICATION: SITE PLAN #1813**

Applicant is proposing a 10-foot by 14-foot addition to existing owner's space at Balsam's Motel. Colors will match existing colors.

Patricia asked about the additional 170 square feet of imperviable space noted in the application. Dan Barusch confirmed that the amount stated is a mistake and it is actually 140 square feet. Mr. Foss explained that this is an addition to current living space and will be one story. The new façade will match the existing. Ms. Dow asked where the storm water drains to. Mr. Foss explained that there is a small underground drain that drains down the side of the property and into a swale on Lake Avenue.

Dan Wolfield made a motion to approve the 10 x 14-foot addition with the siding and colors to match as proposed at 430 Canada Street, the Balsams Motel.

2nd MOTION: Chuck Luke

Patricia Dow	Chuck Luke	Dan Wolfield	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

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**TAX MAP: 251.14-3-26
APPLICANT: SALIM AMERSI
ADDRESS: 400 CANADA STREET
ZONE: COMMERCIAL USE
APPLICATION: SITE PLAN #1809**

Applicant is proposing to add a chartered tour boat service located at Surfside. 24-foot Godfrey Aquatic Patio tour boat would have a capacity of up to 12 persons. Applicant is also asking Planning Board to grant a reduction in the parking requirements set forth in the Village Code 220-23 (A)(4). Applicant is seeking a 10% reduction which would be 15 parking spaces.

Dan Barusch addressed the board and said he is comfortable with Mr. Hutchins plan with regards to number of parking spaces. Mr. Barusch noted that the provision in the code does allow the Board to waive up to 30% of the parking spaces needed for marina use. Mr. Barusch also stated that Park Commission is ok with the reduction of spaces.

Mr. Wolfeld asked what the operating hours would be. Kristine Dawson replied that the charters would be operating during day time hours. Tom Horn from Sunset Charters said that some nights such as fireworks nights the charters would run later. He noted that most people do not want to go out on the boats after dark. Mr. Wolfeld asked if there would be a concern with the parking lot filling up after 4pm or 5pm and not be able to find spaces. Mr. Horn replied that many of his guests walk over from nearby motels and do not park at Surfside. Ms. Dawson replied that offsite parking at Rock Ledge, is also available to guests approximately one mile away. She stated that she has never had any issues with parking at Surfside.

Mr. Horn noted that there are other boat businesses in town that operate with limited parking available or with no bathroom facilities. Mr. Wolfeld replied some have no parking available.

Patricia Dow asked about the number of parking spaces and rooms available. Dan Barusch replied there are 152 spaces and Ms. Dawson replied that there are 154 hotel rooms. Ms. Dow and Mr. Barusch discussed prior approvals with regards to the number of parking spaces. Mr. Barusch stated that one of the reasons in the provision to waive parking is for complimentary use of the spaces. He also noted that there are other tour boat operations in the village with little to no parking available and that there is no provision in the code to require parking.

Patricia Dow read into the record questions that Carol Sullivan had regarding the application. Due to double dipping with sharing parking spaces with hotel guests, Ms. Sullivan wants to know how a complaint from a hotel guest would be handled if they could not find a parking space. Mr. Horn said that he would be able to transport guests to their vehicles at Rock Ledge once he has returned from a charter.

Ms. Sullivan wanted to know about restroom facilities, signage and ticket sales. Mr. Barusch said there are restrooms and trash receptacles available at Surfside. This is a requirement by code to be a marina. Mr. Horn said there is not a sign and one is not being proposed. Ticket sales are all done online through his website.

Chuck Luke stated he is ok with the 10% reduction. He confirmed with Mr. Horn that there is only one boat as stated in the plans. Mr. Wolfeld asked Ms. Dawson is she is ok with making a separate motion

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that the charter will be operated during day light hours and during fireworks. He is asking because as other charters ask for approval, there may be several charters running after 9pm at night. Mr. Horn stated that this is not his first summer running his charter and that sometimes he does bring guests back after dark if they have been out having dinner on the lake. Most of his customers would be guests of Surfside and the nearby motels. Many will walk rather than drive. He has been approved by Park Commission for the two years prior to this year and times of operation have never been a concern.

The Board made two separate motions.

Chuck Luke made a motion to approve the utilization for a 10% reduction in the parking for 400 Canada Street for the marina for 15 spaces.

2nd MOTION: Walt Adams

Patricia Dow	Chuck Luke	Dan Wolfeld	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

Chuck Luke made a motion for 400 Canada Street to add a charter boat to their existing marina and to be docked as shown on the diagram.

2nd MOTION: Walt Adams

Patricia Dow	Chuck Luke	Dan Wolfeld	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

TAX MAP: 251.18-4-3**APPLICANT: MOHAMMAD TARIQ****ADDRESS: 99 CANADA STREET****ZONE: COMMERCIAL MIXED USE****APPLICATION: SITE PLAN #1810**

Applicant is proposing several changes:

- Enclose the front porch and build a tower in front of building.
- Replace water heater closets in the back of the cabins, with a new 5-foot addition in cabins.
- Enclose the porch cooler area on the northside of the office building.
- Cover stair case with extended roof on south side of building.

Peter Jensen and Mohammad Tariq addressed the Board. Mr. Jensen explained that the front porch currently collects rain water and he would like to enclose that area and put a roof over it. He would also like to cover the existing three sets stairs so that guests do not get wet.

Patricia Dow confirmed with Mr. Jensen that the existing front porch will be removed and the area enclosed with a roof. The tower will not go above the existing upper roof peak. The new roof will have a 1/12 pitch, almost flat. Ms. Dow asked about signage. The applicant will submit sign applications at another time. Ms. Dow was concerned that signage is noted in the plans on both north and south sides of the tower, and Mr. Tariq also has a free-standing sign. Mr. Barusch asked what Mr. Tariq would like to do. Mr. Tariq that said it is difficult to see the existing sign depending on which direction you are

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traveling from because of the hill. The tower will be seen from the north and south. Mr. Barusch stated that with the existing sign, the applicant can only have one wall sign. If Mr. Tariq eliminates the free-standing sign then he can have two wall signs on the tower. Ms. Dow stated that she wanted to point this out because with the sign layout proposed, technically only one sign is permitted along with the currently existing signage.

Ms. Dow asked about the height of the tower from the ground level. Mr. Jensen said he believes it is approximately 39 feet. He has not measured it but it will not be higher than the ridge height of the existing roof.

Mr. Jensen would like to secure and enclose the water heater area. It will not be a heated area and he wants to protect that area from the weather and make it accessible to work in at any time. It will be 13' from the side yard and the roof line will come out and have proper set backs from the property line. Chuck Luke verified that all colors will all match.

Ms. Dow asked if there would be water run-off from the additional roofs. Mr. Barusch stated that filtration trench is proposed just to the north of the building. Gutters will be installed and run into that trench. Mr. Barusch noted that there is a 0' set back requirement on the side of the property bordering McDonalds because it is commercial property. In the rear of the property, because it is residential property, the set back is 10'. Devin Dickinson provided a 12' set back in the plans where the trench is located.

Chuck Luke made a motion to approve construction projects for 99 Canada Street which will be the addition of a new roof in the front, taking down the old railings and the porch will be enclosed. There will be a tower, approximately eight by eight feet and the height of that tower is not to exceed the height of the roof line. In the back, replacing the water heater closets and covering them up with matching colors to the existing building. In that area there will be a gutter to the infiltration site. The porch area will be enclosed by the coolers next to the office building. The three stair cases will be covered to keep people out of the rain. There is no sign proposed at this time.

2nd MOTION: Patricia Dow

Patricia Dow	Chuck Luke	Dan Wolfeld	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

**TAX MAP NO.: 264.06-2-49, 264.06-2-35
APPLICANT: QUIRK ENTERPRISES LLC
ADDRESS: 42 DIESKAU STREET, 75 CANADA STREET
ZONE: COMMERCIAL MIXED USE
APPLICATION: SITE PLAN #1811**

Applicant is proposing to expand existing commercial parking lot located at 75 Canada Street, westerly onto an adjoining parcel located at 42 Dieskau Street. Parking spaces will be increased from 35 spaces to 51 spaces and allow exit onto Dieskau Street.

Dan Barusch confirmed with Patricia Dow that a short SEQR form will be completed and he has met with Tom Hutchins to make sure all storm water regulations are followed.

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Mr. Hutchins addressed the board. The residence on the property will be demolished and removed to expand the parking area. The entrance to the parking lot will be from Canada Street only and will exit onto Dieskau Street. Traffic flow will be one-way and parking will be self-service. There are no current issues with storm water runoff.

Chuck Luke is good with the storm water plans. He is glad to see that the building will be torn down as it will be an improvement to the neighborhood.

Sean Quirk explained that there is enough room in the center of the lot for vehicles to turn around if needed on slower days. He currently has a lease with the Village of Lake George for the parking lot. Mr. Quirk and Mr. Hutchins have met with Dave Harrington to discuss removal of two parking meters to allow for curb cut. Mr. Harrington seems ok with the changes but is waiting for final approval from Mayor Blais.

Ms. Dow asked about green space. Street trees and shrubs are proposed. There is an island along Canada Street that will also be dressed up with plantings.

The Village of Lake George will maintain the lot as stated in the lease.

Patricia Dow read in Part 2 of the short SEQR. The Board answered “no” or “small change” or “small impact” to all questions.

Patricia Dow made a motion that the SEQR has been completed and found no or small impacts only and proposed a negative declaration.

2nd MOTION: Dan Wolfield

Patricia Dow	Chuck Luke	Dan Wolfield	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

Chuck Luke made a motion to approve the site plan for 75 Canada Street and 42 Dieskau Street to change the parking from 35 to 51 spaces as diagramed, with water management proposed, shrubs and one-way access onto Dieskau Street.

2nd MOTION: Walt Adams

Patricia Dow	Chuck Luke	Dan Wolfield	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

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**TAX MAP NO.: 251.80-1-1, 264.06-2-31
APPLICANT: DIESKAU PROPERTIES
ADDRESS: 90 COURTLAND STREET
ZONE: COMMERCIAL MIXED USE
APPLICATION: SITE PLAN REVIEW #1733**

Applicant is presenting plans to build two triplex buildings on the Courtland side of parcel in place of previously approved four duplex buildings.

Chazen is reviewing the storm water management. The report has not been sent back, however there is a list of items that Dan Barusch does not feel are significant, so the Board can review the project if they desire.

Many items were reviewed last month during the sketch plan review. Dan Barusch stated that this is a modification from the approval that was made several years ago.

Dan Wolfield asked about the retaining wall shown. Mr. Ellsworth explained that it will be a block wall, similar to the existing wall and will be three to four feet high and will step down the slope and blend in with the existing wall. It will taper with the slope and will not requiring reinforcing.

Mr. Ellsworth presented the board with proposed colors of brown for doors and shutters, tan and green siding and real stone. The shingles will be a mixed brown and black color instead of a solid color. Shrubs and low bushes will be planted.

Patricia Dow asked about "5b" on the Short Environmental Assessment Form. "Is the proposed action consistent with the adopted comprehensive plan?" It is marked "N/A" and she questioned if it should be marked "YES". Dan Barusch said the comprehensive plan needs some updating but that there is one. Ms. Dow also asked about "12b", "Is the proposed action located in an archeological sensitive area?" It is marked "YES". Mr. Barusch noted that most of the Village and Town of Lake George are in an archeological area.

Patricia Dow read in Part 2 of the short SEQR. The Board answered "no" or "small change" or "small impact" to all questions.

Patricia Dow made a motion the Short Environmental Assessment Form has been completed and discovered no significant adverse environmental impacts resulting in a negative declaration. The Board accepts a negative declaration.

2nd MOTION: Chuck Luke

Patricia Dow	Chuck Luke	Dan Wolfield	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

Dan Wolfield made a motion to approve the two-triplex, three-bedroom units as proposed with parking, landscaping, retaining wall, fencing and shrubbery to be installed as presented at 90 Courtland Street. The colors of tan and green siding, doors and shutters to be a brown color, brown to black shingles as presented, pending storm water information from Chazen for approval.

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2nd MOTION: Patricia Dow

Patricia Dow	Chuck Luke	Dan Wolfeld	Walt Adams
AYE	AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

TAX MAP NO.: 264.06-2-5

APPLICANT: JAMES D. QUIRK

ADDRESS: 21 SEWELL STREET

ZONE: COMMERCIAL RESORT

APPLICATION: SITE PLAN 1732

Applicant is proposing a 120' x 100' metal sided boat storage building as well as additional outdoor boat storage on the adjacent property.

Application has been tabled per Mr. Quirk.

There was an open discussion with Mr. Greg Terisi of Lake George Tiki Boat Tours and the Board. Several items were discussed. He will be on Planning Board agenda for May.

- A 3rd tiki boat and possibly a pontoon boat may be added to existing fleet of two tiki boats.
- All tiki boats are Coast Guard approved and inspected.
- Boats are also inspected by NY State and have a check list of required items.
- Captains have a state issued license, CPR and Tips training.
- Mayor Blais had no complaints from previous season.
- Park Commission received three complaints and Mr. Terisi has addressed them with his staff.
- Captains are held to a higher standard, some have not been asked back for 2018 season.
- Just under 400 tours were run last summer.
- Tours and ticket sales will be out of Lake George Beach Club.
- Tours will run Memorial Weekend through October starting at 11am and will run later on fireworks nights.
- Tours are run on a charter by charter basis, and not on a schedule.
- Tours are 60 or 90 minutes, BYOB food and beverages, porta-potties are on board each boat.
- Mr. Teresi has an agreement with the Lake George Steamboat Company to use their pump out station located at The Boardwalk Restaurant.
- Guest are required to sign a waiver before boarding.
- Swimming is allowed off the boats, PDFs are provided.
- Tiki boats have a top speed of 5 mph and are 16' in diameter.
- Company carries additional liquor liability since guests are allowed to drink onboard.
- There is a ship to shore radio, staff can keep an eye on the weather and communicate with the captains. On busy day, tours stayed inside 5mph buoys on West side of lake, away from the big boats and out of the wind.

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March 21, 2018 (CS, PD, CL, DW, DH)

2nd MOTION: Chuck Luke

Patricia Dow	Chuck Luke	Dan Wolfield
AYE	AYE	AYE

Aye = 4 Nay = 0 Motion carried

Respectfully submitted,

Stephanie Fregoe
Zoning Clerk
April 30, 2018