

**APPROVED 7/16/08**

**LAKE GEORGE VILLAGE  
MAY 21, 2008 - PLANNING BOARD  
MINUTES  
VILLAGE ADMINISTRATION BUILDING – OLD POST ROAD**

**Board Members present:**

Robert Mastrantoni, Dan Courtney, Patricia Dow, Dan Garay, Margy Mannix

**Absent:**

**Others present:**

Doug Frost (Code Enforcer), Carol Sullivan (Secretary), Dan Brown (Architectural Consultant), Attorney Mark Schachner (Representing the Planning Board), Starr Incramona, John Carr, Holly Wheeler, Heather Courtney, Christine Lindemuth, Thomas Connors, Mary Alice Leary, Mohammad Barat, Iggy Rovetto,  
Md Z Alan, Charlie Curto, Linda Duffy

Chairman Mastrantoni called the meeting to order @ 7:05 PM.

**PSYCHIC READINGS BY GRACE**

**279 CANADA ST.**

**TAX MAP # 251.14-3-7**

**SIGN**

- Holly Wheeler represented the owners of the business (Archie Miller and Diane Thompson)
- Sign will be burgundy with off-white lettering.
- The sign will be hung over the porch archway door.
- The Board asked for a border to frame the sign.

**MOTION:** Dan Garay made a motion to approve the sign as presented and adding a border around the edge.

**2<sup>ND</sup>:** Patricia Dow

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Aye	Aye	Aye	Aye	Aye

**STAVION BEADS**

**14 BEACH ROAD**

**TAX MAP # 251.18-3-70**

**SIGN - MAYBE**

- Starr Incramona presented her sign to the Board, explaining it was a sign she used at the same business which was located in Glens Falls. She is now relocating to Lake George.
- Starr described the colors as ivory background with blue lettering and gold shadowing around the letters.
- The size of the sign is 2 x 3 measured from the highest/longest points on the sign. Because the sign is not a complete rectangle the actual square footage of the sign is 4.8 square feet.
- The Board discussed where the sign will hang and if there will be enough head room clearance. There has to be at least 8 feet for clearance.
- The sign, if it there is enough clearance, will hang under the overhang and will be hung by a chain. If the sign doesn't fit Starr will use it as a window sign and it will not take up more than 35% of the window space.

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**MOTION:** Robert Mastrantoni made a motion to accept the sign as presented to be hung underneath the overhang conditional upon at least 8 feet of clearance from the sidewalk to the bottom of the sign. It will be hung with chains. If there is not 8 feet clearance then it can be used as a window sign.

**2<sup>ND</sup>:** Margy Mannix.

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Aye	Aye	Aye	Aye	Aye

**PIZZA JERKS**

**59 IROQUOIS**

**TAX MAP # 251.14-3-11**

**SITE PLAN 0818 – DECK ON NORTH SIDE OF BUSINESS**

- Iggy Rovetto presented his plans for a 264 Sq Ft deck (6' W x 44' L) along north side of his building. The deck is actually 40 feet long and there is a 4 foot "wrap around" so people will be able to exit safely.
- No umbrellas.
- The deck is 6 feet wide and the roof overhangs the deck by 4 feet.
- The deck will be right against the property line as there is no setback requirement in the CMU zone (zero setback for side yards).
- Iggy indicated the railing in the rendition of the finished view is not to code, however, he intends to have the railing and the spindles meet code. The spindles have to be 4 inches apart.
- Iggy indicated he will have capacity for 30 – 40 people.
- Robert Mastrantoni brought up the issue of the congestion in the neighboring parking lot owned by the Price Chopper.
- Dan Courtney turned the discussion back to the construction of the deck asking Iggy if he was going to use sonnet tubes, with concrete, pressure treated rails, 6 x 6 footings. The 6 x 6 footings will help in securing the deck and deterring damage to the deck.
- Patricia Dow expressed concern with the railing height and the width of the spindles and how "it will work" if someone drops something through or over the railing and how someone could safely retrieve it from the parking lot. Dan C. mentioned the railing has to be a minimum of 42 inches high and the spindles no more than 4 inches apart – 4 inches is the maximum. Patricia suggested the railings (spindles?) should be closer together to prevent something from dropping through into the parking lot. Robert agreed a sturdy deck with spindles that are closer should do the job for safety. Margy suggested adding reflectors.
- Patricia Dow asked Iggy if he would consider "backing it up" from the zero setback to put a double wall there so if it's hit the hit is not directly into the deck. Iggy indicated it's possible but there isn't a lot of room to work with. Dan C. indicated "stepping up" from a 4 x 4 – 4 x 6 to a 6 x 6 that is almost like a double wall. Dan B. indicated the edge of the deck, the floor edge is at bumper height and the deck would have to be damaged significantly before the rail would be damaged.
- Iggy indicated he's thought of putting a space between the plates coming into the railing and adding a spring which would act as a bumper.
- Patricia suggested a conversation with the management of the Mini Chopper would be helpful to address the safety issue. Iggy agreed he would let them know that he's going to have the deck and the Board suggested maybe the Mini Chopper will install parking bumpers along that side of the parking lot.

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- Robert turned the discussion to his previous comment regarding the congestion in the parking lot, the young crowd this establishment attracts and the loitering. Iggy admitted there was a problem last year and this year he has advised his staff that there should be no one hanging out and loitering. Robert indicated he doesn't have a problem with the deck but the crowd has to be controlled. Dan C. indicated the Price Chopper parking lot seems to be the hangout and Robert added he wasn't isolating Iggy's business but there is a young crowd in the area and it's a problem. He also added he would like to see a condition added that Iggy will address this problem. Iggy agreed and added he doesn't want this problem for his business either as he has families coming and going at his business as well.
- Patricia Dow asked the height of the railing. It will be 42 inches high. Dan B. indicated the drawings show the railings at 3 feet high which is legal because the deck is a ground level deck. Iggy indicated he intends to build it higher so it can act as a screen. Dan C. mentioned adding lattice as a screen which would also act as a screen. Iggy and Margy did not think the lattice would look good.
- Patricia asked if the flower boxes would be on top of the railing and Iggy indicated they would.
- Dan C. asked how high Iggy intended to have the railing. Iggy said the railing would be about 40 inches high.
- The deck will be stained – clear.
- There is existing lighting underneath the overhang.

**MOTION:** Patricia Dow made a motion to approve the 6' x 40' deck, plus the 4' front wrap around along the north side of the building with the following conditions.

- The railing will be 40 to 42 inches high.
- Flower boxes will be installed on top of the railing.
- There will be no umbrellas or awnings.
- 10 – 12 tables with chairs depending on what is stipulated by the certificate of occupancy.
- Table/chair design will be as presented.
- Railings/spindles will be closer together than the required maximum width of 4 inches apart to prevent things from rolling through onto the Price Chopper parking lot.
- Mr. Rovetto will have a conversation with Price Chopper management to inform them of his plans and give them a chance to work on whatever safety measures they need to from their side to prevent damages when exiting the parking lot.
- Supervision of the patrons so there is no interference with the business next door.

**2<sup>ND</sup>:** Margy Mannix.

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Aye	Aye	Aye	Aye	Aye

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**VILLAGER MOTOR INN**

**99 CANADA ST**

**TAX MAP 251.18-4-3**

**SITE PLAN 0820 – OUTSIDE DINING – GROUND LEVEL AND SECOND LEVEL  
REMODELING FRONT OF BUILDING.**

- Application is for a ground floor outdoor cement patio, to use the existing upper deck for dining and redesign the front of the building.
- The Board agreed to table this until such time as the applicant provides a complete (final design) engineered (stamped) drawing/plans of both the first and second floor construction, it should include all necessary information for construction including elevations and dimensions. The plans must show that they meet all required building codes.
- The issues raised during the November 21, 2007 Planning Board meeting should be addressed as well.

**TAKEN FROM 11/21/07 MINUTES**

- A discussion ensued regarding the deck construction, meeting handicap requirements with regard to a ramp and the location of the ramp which will have to be located next to the driveway.
- The Board expressed concern regarding foot traffic across the driveway as the driveway entrance is right next to the area of the proposed deck/restaurant.
- The Board indicated they will have to see a more detailed drawing (to scale). The drawing should include measurements and elevations of the restaurant, the deck(s), the ramp and how the finished restaurant with the deck will look. The Board also wants to see a detailed drawing of the seating for the two decks, the material that will be used for construction of the first floor deck, the furniture which will be used, lighting, flowers and how customers will have access to the second floor deck.

**MOTION:** Margy Mannix made a motion to table the Villager Motor Inn front façade remodeling and outdoor dining plan.

**2<sup>ND</sup>:** Dan Garay

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Aye	Aye	Aye	Aye	Aye

AT THIS POINT PATRICIA DOW AND DAN COURTNEY RECUSED THEMSELVES FROM THE DISCUSSION FOR DUFFY'S TAVERN.

**DUFFY'S TAVERN**

**22 AMHERST ST**

**TAX MAP # 251.14-3-37**

**SITE PLAN 0823 – RESUBMISSION FOR EAST SIDE DECK**

- Linda Duffy presented her proposal for a deck on the east side second floor. This proposal was previously submitted in 2007 and withdrawn on 7/26/07. The size of the deck is 9' x 14'.
- Plexi glass will be installed along the railing behind the spindles.
- Robert mentioned there were previous discussions when this was submitted last year regarding hours of operation for this deck. Linda indicated she would be willing to shut the deck down once "outdoor" entertainment stops which would be about 10:30 PM. Up to 10:30 PM it's likely that people

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will be out on the deck having dinner and people generally move inside around 10:30 PM when the indoor music starts.

- Dan Garay asked about the elevation. Rich Lancett (builder) pointing to a picture showed where the current deck is and this new deck would be joined to it.
- The large window in the center of the deck will be blocked with a seating bench underneath. Linda indicated originally they had thought of replacing the window with a sliding glass door to allow access to the deck and interior. Since the noise issue has been raised she mentioned they are not going to add the door and are thinking of doing what they did on the other side by adding a bench.
- The new deck area will either be painted to match the building or will be stained.
- The awning over the stairway will remain.
- Rich Lancett mentioned they are improving the stairwell and they are bringing it up to code.
- Robert mentioned a letter had been submitted from Nick and Caroline Cutro. It is added to the minutes as Exhibit 1.
- Robert asked if there was anyone in the audience who wished to speak. Heather Courtney identified herself as a next door neighbor living in a single family residence. She questioned whether or not plexi glass over a railing would actually stop. She expressed concern regarding having people wrapped around that side of the property when she already has dealt with people wandering on her front lawn, have broken into her car and do other types of things on the property and she doesn't feel putting up plexi glass will stop those types of problems. She feels plexi glass will not stop the screaming when the fireworks are going off and when people are drinking over the weekend. She feels wrapping the deck to her front yard does not make any sense.
- Robert discussed the noise ordinance in the Village and it needs to be controlled. He then asked whether or not the plexi glass would actually deter noise. Margy Mannix mentioned at a higher height it may abate the noise but lower it may not. Linda pointed out they are willing to close the deck at a certain hour. Robert suggested using a roll down "plastic" from the top which would help as a noise barrier. Linda indicated she does not want to cut off the view or the flow of air.
- At this point Dan Courtney asked if he could speak and Attny Schachner pointed out that if Board members are to speak as the general public then they should not be sitting at the table with the Board but should be part of the audience.
- Dan Courtney and Patricia Dow joined the public audience at this point.
- For the record Dan Courtney mentioned he had recused himself from the Board and was speaking as a public citizen. He pointed out one of the factors that was discussed when this application was previously before the Board was the location of people facing the neighborhood at Pine Point. He mentioned what was asked last time was for a wall to be installed and some type of sound barrier on the existing 3 foot deck. He believes plexi glass isn't going to do anything.
- He pointed out that the Board has already approved a 3 foot extension on the commercial side – on Amherst St and Canada St. He mentioned the situation was already loud and more was added to it. Now wrapping around to the other side will mean people can stare right into his living room. Dan C. mentioned that Cutro's (one of the neighboring properties) used to have a tree and this is mentioned in the letter submitted; this tree was over one hundred years old, it died over the winter and was taken down. This tree used to block the view and the noise. Dan mentioned he feels this is a deck which looks down into houses.
- Dan C. pointed out this property is for sale. The wrap around of the deck does not enhance the neighborhood. The bar wants to make more money. This is not a compromise. He mentioned "we" deal with a lot "there" and we don't need to deal with "that".
- Robert mentioned again the deck would be closed at a certain time and if Linda accepts using the plastic he doesn't see how he could go...Dan C. interjected, this is not a night deck only. There is as

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much activity in the afternoon, screaming and drinking all day. Dan C. continued, adding there's already a huge problem and a huge deck.

- Dan C. asked that the two letters submitted be read so others could hear them and continued on pointing out he can't have the shades open in his living room or bedroom because there are people staring down into the window.
- Robert asked Linda how the noise issue is controlled during the day. Linda indicated normally it's the music that's the loudest but they do contain it. She mentioned they did have plastic shades on the corner where the music is and they helped a lot. However, when they lost the awning they also lost the shades. So she doesn't understand why plexi glass wouldn't help.
- She also mentioned the deck in question is approximately 75 to 100 feet away from Dan's house. This deck would be tucked into the building. So the only part where people are actually past the building is at the railing.
- At this point Attny. Schachner advised that the Board is taking in a lot of input on this topic when the application has not been scheduled for a Public hearing and it sounds as though the Board is starting to consider public comment. He advised the Board they might want to schedule a Public Hearing. Robert added it has always been his position to entertain public comment addressed to him and if the Board can answer the issue they would. Attny. Schachner advised it appears that a fair number of comments are being made and it appears to be crossing the line from a public question and answer period to a Public Hearing.
- Margy Mannix suggested perhaps the Board should consider a Public Hearing.
- Linda Duffy asked if the issues raised are zoning issues or noise issues. Doug Frost indicated there are no zoning issues. Everything that has been presented is allowable within this zone. He added if the issue is noise, there are noise ordinances and they are in place to handle issues that arise.
- Dan G. asked how many tables would be outside and if it would only be allowed for eating. Linda indicated there would be a couple of tables outside but they would not be limited to eating only. She also added they chain off the entrance on the east side during the evening.
- At this point Robert indicated he wasn't going to entertain any additional comments from the audience, however, Dan C. indicated he had a critical comment and Robert agreed.
- Dan C. pointed out he would like the opportunity to prove the deck does peer into their house and he would do this with pictures. He added there were a lot of other people who wanted to speak, however, because of the 4 day notice there was not enough notice. He would like the opportunity to have other people speak during a Public Hearing.
- Linda asked again if this is a zoning issue or a noise issue and Robert responded it is a noise issue. Linda pointed out no one knows if there is going to be a noise issue and wondered why it couldn't be fixed when the problem arises. She added she has never been approached by the neighbors regarding the noise and other times when there have been other issues she has worked with the neighbors to the neighbor's liking.
- At this point Robert polled the Board members regarding the need for a Public Hearing.
- Again, Linda expressed concern regarding the mention of a noise problem and if there is a noise problem they will deal with it and fix it.
- Dan Garay asked if the area could be redesigned. Rich Lancett described the positioning of the posts and the need to position the post correctly to get a proper footing. The railing is in between the posts as shown on the drawing. Rich indicated he is aware of plexi glass being used as a sound barrier and he believes it has been used successfully.
- Robert asked if the railing could be brought in one foot and Linda indicated she is fine with that. Dan Garay asked if the wall to the north could be extended so it would block the view of the neighbors and Linda indicated this would be acceptable too.
- Margy expressed concern about the architectural look of the building.

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- Robert, again addressing noise, mentioned that the noise ordinance has to be enforced and fines issued if need be.
- Rich Lancett indicated he would be able to block off “about 2 feet” on the corner of the deck. Margy expressed concern about the proposed wall which was being discussed at this point. She asked Dan B. for his thoughts. Dan B. mentioned he sees that there are 2 issues, audio and visual. There is a complaint and a complaint about being able to be seen from the property and mostly the complaints are regarding the noise. Dan B. advised the Board that he didn’t feel it was the role of the Board to undertake how to deal with sound issues; he isn’t trained to do so nor is the Board. Good suggestions have been put forth; plexi glass is an aid but how much of an aid no one knows. Dan B. pointed out that with the proposals on the table he couldn’t advise the Board on whether or not these proposals will enhance sound reduction or not. As the applicant stated no one knows until “it’s there”. Robert added he thinks the applicant has to make the effort to comply with the noise ordinance. Dan B. mentioned if there is a complaint “when this is done” then the applicant has to resolve it if the ordinance is not met.
- Once again, Robert polled his Board members asking about concerns. Margy Mannix spoke mentioning her concern is the noise and the change this will make to the neighborhood and the residents that live nearby. Dan Garay expressed the same concern adding the noise issue has to be taken care of with noise control. Dan B. indicated the Board should go on the record that these issues are significant concerns.
- At this point Robert asked Board counsel, Mark Schachner, to advise the Board on what action they can take. Mark advised the Board on the recusals; because there have been two recusals all three sitting Board members would have to agree on any action they take. Offering a “for instance” Mark pointed out if the Board were to vote on a Public Hearing all three sitting members would have to agree to a Public hearing. He expressed concern that a great deal of public comment has been accepted tonight, “more so than casual question and comment” in his opinion and that such public input is being considered and though not inappropriate Mark expressed concern that public comment was being considered without scheduling a Public Hearing. If a decision is made based on some of the input from the public he is concerned that there has not been a Public Hearing and someone could raise a legal issue about the procedure followed. Margy added, “it would be in our best interest to hold one?” Mark indicated this was a fair statement. Linda Duffy interjected stating nothing was going to change, public comment was heard at the last meeting where she presented this proposal. She asked what would the deciding factor be and what would be different from then to now. She added the Board has already heard both sides.
- Robert added he’s been trying to get modifications, plastic...Linda interjected that she is willing to work with the Board...Dan Garay (tape inaudible)...accept it with a contingency. Robert asked if Dan G. meant a one year contingency approval but then asked what would happen after one year. Dan G. suggested it would have to be shut down. Robert indicated Linda has already said it would be shut down at 10:30. Dan G. responded “before 10:30 if there’s too much (tape inaudible).” Margy indicated she heard the applicant say she hoped to shut it down at 10:30. Linda pointed out that was correct but that she didn’t hear anyone offer a suggestion for an earlier time.
- At this point Robert indicated he was not in favor of a Public Hearing and that he felt there was no resolution.

**MOTION:** Margy Mannix made a motion for a Public Hearing on this application.

**2<sup>ND</sup>:** Dan Garay

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Nay	Recused	Recused	Aye	Aye

- Motion not carried.

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- Mark Schachner advised the Board a different outcome could be established if an alternate was present.

**MOTION:** Robert Mastrantoni made a motion to table this application until next month so as to have the alternate Board Member in attendance.

**2<sup>ND</sup>:** Dan Garay

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Aye	Recused	Recused	Aye	Aye

- Doug Frost reminded the Board that the next meeting on this application will not be a Public Hearing. Mark S. reminded the Board the motion for a Public Hearing failed and the next meeting should not be conducted as a Public Hearing.

AT THIS POINT PATRICIA DOW AND DAN COURTNEY REJOINED THE MEETING.

**DESHI MASALA (INDIAN RESTAURANT LOCATED NEXT TO SICILIAN SPAGHETTI HOUSE)  
375 CANADA ST.**

**TAX MAP: 251.14-2-4**

**SIDEWALK CAFÉ APPLICATION 0825**

- Applicant is applying to put table and chairs on an existing ground deck.
- The Board was advised that the Village Board waived the March 30<sup>th</sup> deadline to apply for a sidewalk café for this applicant. Therefore, this applicant is allowed to come before the Planning Board tonight with his application to put tables and chairs on the existing deck.
- Doug Frost advised the Board the issue of who owns the land the deck is on has been in litigation for some time. The outstanding question to be resolved is whether the property is Village property or is the property of the building owner. The applicant is here tonight applying for a Sidewalk Café because he does not want to wait for resolution of the litigation. He would like to have an outdoor café now and applying for a Sidewalk Café permit seems to be the best way to achieve allowing him to set up an outdoor café now.
- Paul Cutro, owner of the property, attended the meeting with the applicant. Paul advised the Board the deck has been in existence for approximately 15 years.
- Paul advised the Board there is a flower bed area between the sidewalk and the deck.
- The existing awning will be replaced and will be very similar to the existing awning.
- The Board asked the applicant if there will be umbrellas. The applicant said there would not be umbrellas.
- Patricia Dow asked where the menu board would be located and the applicant indicated it would be located near the deck.

**MOTION:** Patricia Dow made a motion to approve the sidewalk café application for Deshi Masala with the existing awning replaced with a new awning of the same dimensions, no umbrellas, with the garden area between the café and sidewalk, tables and chairs as presented.

**2<sup>ND</sup>:** Robert Mastrantoni

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Aye	Aye	Aye	Aye	Aye



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AT THIS POINT DAN COURTNEY RECUSED HIMSELF FROM THE MEETING.

**COURTNEY MOTEL (4/16/08 PB)**

**TAX MAP 251.18-4-1.2 – 56 DIESKAU ST.**

**ZONE: COMMERCIAL MIXED USE**

**APPLICANT: DAN COURTNEY**

**SITE PLAN APPLICATION # 0814**

- Dan Courtney reminded the Board that he was away last month and represented by Dan Hajeck. He added that the Board had a question about the plywood wall and Dan C. believed Dan H. advised the Board it would be stained the same as downstairs. Dan C. continued that in the motion it was stated the Board needed to see a plan for “it” and so Dan C. left a plan at (tape inaudible)...Dan C. continued it would be sided very similar to T1-11, painted the same. Dan C. went on to say he wasn’t sure if this information was missed during the last meeting. Dan C. pointing to his diagram showed the Board what the area would look like and added there would be two windows.
- Robert asked for clarification on the area location and Dan C. described the area as the flat roof area where there is a deck.
- Margy Mannix asked that the bushes be trimmed. Patricia Dow added the previous discussion regarding the bushes was that they should be trimmed but not so much so as to destroy the privacy.

**MOTION:** Margy Mannix made a motion to accept the window plan as submitted.

**2<sup>ND</sup>:** Robert Mastrantoni

Robert Mastrantoni	Dan Courtney	Patricia Dow	Dan Garay	Margy Mannix
Aye	Aye	Aye	Aye	Aye

**PROCEDURAL QUESTION FOR MARK SCHACHNER**

- At this point Dan C. rejoined the Board and asked Mark S. a procedural question which came up today. Dan C. advised Mark...because it was in the motion...that it's been common practice for the Board to allow something small or minor, color, a minor change that an applicant will leave and instead of waiting for the next month to give the Board the color or the little change we (the Board) ask to see something...Carol lets us know when it's there, we're called and we go and look at it, we stop by...is that appropriate?
- Mark indicated the procedure is OK but asked if the conclusion of dropping something off is for the Board to accept or decline whatever is dropped off. The Board agreed they do accept or decline whatever is dropped off at the point of review. Mark advised the Board the exercise of dropping something off needs to be ended at an open public meeting with the decision of the Board. I. E. the Board accepts (or denies), or with a condition. The process is acceptable (of dropping something off at the Village Hall) and it's OK for Board members to review whatever has been dropped off but the process needs to be concluded at an open public meeting by a motion which could be simply stated as, we have reviewed the...whatever...and it meets with the Board's approval.
- Dan C. adding further detail advised what has been done is the motion will state pending “to see that color” and Carol would call the members, they review it and initial it and the Board was not tying it in after that...we'd initial a paper that the color was acceptable.
- Mark advised an instance where something is reviewed at the office has to be tied in at an open public meeting. Dan C. asked if the applicant would have to wait for the actual motion at the open public hearing. Mark advised that technically and legally until something is adopted at an open public meeting it is not a binding position.

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- Patricia Dow adding clarification that the typical motion in these instances is - we accept this sign pending the approval of the Board members when the color is dropped off at the Village Office and then each Board member reviews it at the office and signs something. Carol added the purpose for the signature is to track who has reviewed whatever has been dropped off.
- Mark advised that in these instances the Board is conducting Board business not at a board public meeting. Patricia asked if it was unacceptable even if the motion specifically states what the Board will be doing. Mark again advised this practice, technically and legally, is out of public meeting action. He again advised the Board the process is acceptable but it needs to be "tied up" at a public meeting.
- Dan C. asked how the Board should proceed when they have special meetings for people to carry it along to make sure they can get the short 3 month season and having to wait another month is impractical. Mark pointed out there is no notification limit for an immediate meeting.
- Mark provided a couple of examples where the process of office review can go wrong. If the Board members don't agree on whatever has been dropped off at the Village Office and the Board members start debating it outside of a public meeting, this is illegal. Another example, if something is reviewed and the motion states it has been approved subject to further review by Planning Board members that review is suppose to happen in an open public meeting.
- Doug Frost asked for clarification on whether a phone conversation be allowed...should someone be allowed to call a Planning Board member outside of a public meeting and ask for approval. Mark advised, absolutely not under any circumstances.
- Dan C. asked another question regarding public input...admitting it was frustrating to be in the audience tonight...there were things that weren't correct...they (the public?) can't answer questions to the Board. Mark advised the best way to proceed is have a clear distinction between a Public Hearing and not a Public Hearing. Mark added he was concerned tonight because the Board was hearing a lot of input from the public when a Public Hearing had not been scheduled. He further advised if a Public Hearing has not been scheduled the Board is under no obligation to accept, address or answer questions/comments from the public. The Board can generally judge the public response to an application and if they see there is a desire for public input then a Public Hearing should be scheduled.

**TABLED TO JUNE 18, 2008 MEETING**

**4 BEACH ROAD – REDEVELOPMENT – CORNER OF CANADA AND BEACH (MINI GOLF ETC.)**

**TAX MAP: 251.18-3-71**

**ZONE: COMMERCIAL RESORT – OVERLAY**

**OWNER: HOLLY RAJ INC**

**APPLICANT: DAN RYAN – VISION ENGINEERING**

- Amusement park, replacing mini golf. Second story addition of a restaurant with deck.

**MINUTES**

4/16/08 – tabled to June 2008 meeting.

**OLD BUSINESS**

**LAKE GEORGE ARTS PROJECT (4/16/08 PB)**

**(OLD COURTHOUSE BLDG. OWNED BY THE TOWN).**

**APPLICANT: RAY PERRY**

- Board suggested the arrow should be made smaller.

**APPROVED 7/16/08**

**LAKE GEORGE VILLAGE  
MAY 21, 2008 - PLANNING BOARD  
MINUTES**

**VILLAGE ADMINISTRATION BUILDING – OLD POST ROAD**

- Board accepted the design for the banner-like sign as submitted and the height as submitted for a one year conditional approval. If complaints/comments are received regarding the length and size of the sign then the sign will have to be reconsidered.

**GEORGIAN - TIMESHARE**

- Phase 1 – indoor pool, restrooms, restaurant renovation – waiting for letter of credit.
- When actual unit construction begins a landscape plan must be submitted.
- All phases will require a letter of credit for that particular phase.
- 1/16/08 – received a couple of phone calls from contractors. Accepting bids for Phase 1 – indoor pool, restaurant renovation and new bathrooms.
- 3/3/08 – rec'd phone call from Pete – Manager. Georgian is going start construction of timeshares as phase 1 and pool/restaurant will be delayed 'til fall 2008. Waiting for landscape plan and letter of credit.
- 4/8/08 – Carol spoke with Pete Temales (Georgian Manager). Pete indicated the project has been pushed to the fall of 2008 and Phase I will actually be the 3 building reconstruction that was discussed when the Site Plan Application was approved. There will be no construction this spring. Carol indicated the approval could lapse because of the delay (approved for one year) and she would check on this.

**LAKECREST – DECK ON RESTAURANT**

**TAX MAP 251.14-3-30**

**APPLICANT: SUNG (JAMES) KIM**

**ADDRESS: 366 CANADA ST**

**ZONE: COMMERCIAL RESORT – PARTIAL OVERLAY**

**SITE PLAN APPLICATION: 0768**

- The Owner is proposing adding a deck to an existing restaurant.
- 3/19/08 – Deck, flower boxes and furniture approved. Waiting for lighting plan and awning or umbrella plan.

**VILLAGE MALL – DECK ON SECOND LEVEL OVERLOOKING SHORELINE**

**TAX MAP: 251.18-3-57**

**APPLICANT/OWNER: SEAN QUIRK**

**ADDRESS: CANADA AND LAKE WALK**

**ZONE: COMMERCIAL RESORT - OVERLAY**

**SITE PLAN APPLICATION: 0805**

- 3/11/08 – Spoke with Sean. He will delay this until the Fall 2008. Wants to redesign the deck taking the Board's comments into consideration.
- Waiting for color samples for repainting the exterior of the mall. Shingled overhang will be one color and balance another.

Respectfully submitted, June 2, 2008  
Carol Sullivan