

**LAKE GEORGE VILLAGE PLANNING BOARD MEETING  
JUNE 21, 2023 – 5:00 PM  
VILLAGE ADMINISTRATION BUILDING  
26 OLD POST ROAD - LAKE GEORGE, NY  
MEETING MINUTES**

**Board members present:** Patricia Dow (Acting Chairperson), Patrina Leland, Kevin Merry, Walt Adams, and Dean Howland (Voting Alternate)

**Board members absent:** Carol Sullivan (Chairperson) and Dan Barusch (Director of Planning and Zoning).

**Others present:** Debonnay Meyers (Planning & Zoning Clerk), Melissa Quirk, Sean Quirk, Jon Lapper, Brett Lange, Yerbol Kenzhebekov, Victoria Grabko, Konstantin Grabko, Mark French, and Donato Guadagnoli.

Patricia Dow called the meeting to order at 5:00 pm.

Patricia Dow informed the Board and all others present that the agenda order had been switched. She explained that Konstantin Grabko requested to be last so, he will be the last applicant to go. Patricia Dow asked if Vincent Cianciolo was present. Debonnay Meyers indicated he wasn't. Patricia Dow informed that The Anchor/ LG Boat Rentals will be first.

**APPLICATION: SIGN#14-2023**

**APPLICANT: THE ANCHOR / LG BOAT RENTALS – SEAN QUIRK**

**TAX MAP: 251.18-3-60**

**ADDRESS: 1 KUROSACA LANE**

**ZONE: COMMERCIAL RESORT**

Applicant is seeking approval for two signs for their new condominium, The Anchor. The first sign is a rectangular free-standing sign that will be placed to the left of the main entrance, facing Canada Street. The size will be 95" long by 73" tall and will be made out of faux wood panels with ½" PVC graphics and cedar posts. The background color of the sign will be gray and will have a hidden border. The border will have a 2" by 2" square aluminum frame. The lettering on the sign will be white and will be ½" raised. The size of the lettering will be between 3.2" and 7.2". On the sign, there will be two graphics, 1 boat wheel and 1 anchor. The boat wheel and anchor will be raised ½". The size of the anchor will be 26.2" and the size of the boat wheel will be 25.5". The second sign is shaped as a rectangle that will be mounted on the north side of the building, facing toward Christie's on the Lake and the Village Mall. The size will be 96" long by 36" tall and will be made out of .080-gauge aluminum with a printed wood face. The background of the sign will be gray and will have a hidden border. The border will be made out of square aluminum tubing and will have the width measuring to 1". The lettering on the sign will be white and will not be raised. It will be made out of vinyl and the size of the lettering will be between 2.6" and 5.9". On the sign, there will be two graphics that will be on the sign, 1 boat wheel and 1 anchor. The boat wheel and anchor will not be raised and will be made of vinyl. The size of the boat wheel will be 19.3" and 21.6" for the anchor.

Sean Quirk, Melissa Quirk and John Lapper were present to represent The Anchor / LG Boat Rentals. John Lapper conducted his opening statement by introducing himself, Sean Quirk and Melissa Quirk and explaining what the sign construction and image would entail. Reviewing the

application and the plans brought to the Board by the applicant, questions started flowing in relation to the proposed sign.

Patricia Dow informed the Board that they should go over one sign at a time as the applicant submitted two signs. She informed that the first discussion would be in relation to the free-standing sign. Patricia Dow asked the Board for their comments and/or questions. Dean Howland wanted to confirm that the proposed sign would be placed in the same area where the old sign was. John Lapper said yes. Patricia Dow asked if there would be lighting on the sign and if it would be internally lit. John Lapper said no. Sean Quirk informed the Board that the LG Boat Rentals would be open during the day. As for The Anchor, Sean Quirk added that the guests who will live there would know where to go. Patricia Dow wanted to confirm that there will be no changes to the application as what was submitted is what they will approve. Sean Quirk confirmed that there will be no changes and that the stone shown in the picture will match the stone on the building. He added that the images submitted in the application show the stone much lighter than the building and that wasn't his intention. The Board concluded that they would make a motion to approve the application as presented.

Dean Howland made a motion to approve the free-standing sign at 1 Kurosaka Lane in Lake George, created by The Anchor and Lake George Boat Rentals, that show on the print possible only difference will be the stones surrounding the, the stone that The Anchor is sitting in would match whatever stone is on the building.

**2<sup>nd</sup> MOTION: Kevin Merry**

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

Patricia Dow opened the floor for discussion in relation to the wall sign. The Board had no comments or questions.

Walt Adams made a motion to approve the application created by The Anchor at 1 Kurosaka Lane, tax map 251.18-3-60 as the sign would be mounted on the side wall with the existing light.

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

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

**APPLICATION: SPR#11-2023**

**APPLICANT: THE ANCHOR – SEAN QUIRK**

**TAX MAP: 251.18-3-60**

**ADDRESS: 1 KUROSACA LANE**

**ZONE: COMMERCIAL RESORT**

Applicant appeared in front of the Planning Board on October 19, 2022, to change the existing

use of the property from a restaurant to accommodations with a retail area. The Planning Board had approved this change of use. Applicant is now seeking approval to change the existing use of the property from accommodations with a retail area to condominiums. Local Law #4 of 2023 had been reviewed by the Village Board and had been approved on May 15, 2023, putting Local Law #4 in the Village of Lake George code of conduct. This Local Law allows condominium use only in Commercial Mixed Use and/or Commercial Resort zones. There will be interior remodeling to fit 5 luxury condo units plus 1 commercial unit. There will be no physical changes from the prior approved site plan for hospitality use.

John Lapper, Sean Quirk, and Melissa Quirk were present to represent The Anchor. John Lapper conducted his opening statement by introducing himself, Sean Quirk and Melissa Quirk again for the record. He informed the Board that the application shown before them is identical to the prior one that was approved in October 2022. He explained that when the condominium law went through the Village Board and got approved, Sean Quirk felt the property would be better used as a condominium area. So, in response to that, Sean Quirk obtained and submitted the change of use application to transition accommodations with retail area to condominiums. Reviewing the application and the plans brought to the Board by the applicant, questions started flowing in relation to the transition.

Walt Adams asked about the parking situation. John Lapper explained that there will be seven parking spots available: six parking spots out front and one parking spot in the garage. Patricia Dow inquired about the large trees between The Anchor and the Post Office. Sean Quirk advised that those trees were not on his property, they're part of the Post Office's property. Patricia Dow asked if the vegetation had been trimmed by them or by the Post Office. Sean Quirk advised that he planted some of the trees as a nice gesture and did obtain approval from the Post Office to do so. Patricia Dow asked the Board if they had any questions or comments about this application. The Board concluded that they would make a motion to approve the application as presented.

Patricia Dow made a motion to change the existing use of the property from the approved, previously approved accommodations with a retail area to condominiums with a retail area. Now allowed by Local Law #4 of 2023 for 1 Kurosaka Lane, condominiums to be called The Anchor and retail spaces to LG Boat Rentals.

**2<sup>nd</sup> MOTION: Kevin Merry**

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

Patricia Dow checked to see if Vincent Cianciolo or Konstantin Grabko had arrived yet. Debonnay Meyers said no. Patricia Dow indicated that Mark French will go next.

**APPLICATION: SPR#12-2023**

**APPLICANT: THE LAGOON – MARK FRENCH**

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

**ADDRESS: 204 CANADA STREET SUITE 11**

**ZONE: COMMERCIAL RESORT**

Applicant is seeking approval for remodeling the previous Taste of India location into an additional unit for the Lagoon. There will be minimal construction to the outdoor section of this area. The outdoor construction will consist of installing fencing and railing systems as well as having green vines and grass walls to cover the current wall. The fence will be a wooden cedar fence and the railing is mandatory per the SLA. In addition, the outdoor patio will consist of new tables and chairs as well as having string and shrub lights to enhance the customer experience. The walls outside will be painted with the color concrete painted gray. There will be no change to stormwater management and the grease trap will be cleaned weekly and maintained yearly.

Mark French was present to represent The Lagoon. Reviewing the application and the plans brought to the Board by the applicant, questions started flowing in relation to the remodeling. Dean Howland inquired about the outside railing on the lakeside of the lower deck. Dean Howland offered suggestions on picking a better material for the railing as the location of the railing would be beside the walkway that pedestrians use to walk around Lake George. Kevin Merry suggested for Mark French to purchase a composite railing. Dean Howland added that the composite railing would be better looking than a piece of lumber. Patricia Dow provided an example of a business that doesn't have a good-looking railing. She expressed that the image of Lake George is very important to this Board. The Board and Mark French continued the discussion on why the suggestions the Board gave were a better option.

Mark French indicated he picked out the specific railings to make it easier for the guests to see the water. Dean Howland advised that the top railing could be changed while the wood part of the railing could remain against the wall. He expressed that the metal would be easier to clean, it would be maintenance free and could be pressure treated. Mark French, Dean Howland and Kevin Merry went into the specifics as to what railings were currently at the Lagoon and what was going to be installed in this new location.

Patricia Dow had questions about the height. Mark French responded with 42 inches. Dean Howland expressed his thoughts again on switching the railing to his suggestion. He said that the railings would be stronger, would be finished, could provide multi-color finish, and would come within a couple days. Mark French advised he didn't know that he could get the composite railing right away. He just went with the fastest way to get this location open for business. Patricia Dow asked if the railing would be accepted by the SLA. Mark French indicated that if he used rope, the SLA would still be okay with it. Dean Howland asked if it would be permanently installed. Mark French responded that it could be taken out. With taking it out, there would be holes in the concrete.

Mark French inquired that if he switched the railing to what the Board suggested, would he have to come back for approval? Patricia Dow advised that he could email Dan Barusch or Debonnay Meyers the pictures of the railings with the color. So, when the Board receives those pictures, a decision will be made. Patricia Dow changed the conversation to the third fence that's against the bushes. Dean Howland asked if the flowers shown in the images would be fake. Mark French advised that it's similar to a fake bush and its easy maintenance.

Patricia Dow inquired about the lighting. Mark French indicated that the lighting would bring a nice ambiance and all lights would be overhead. Patricia Dow then inquired about the tables and chairs. Mark French informed the Board that the tables, chairs and umbrellas were given to him.

As King Neptune no longer exists, Sean Quirk gifted the tables and chairs to Mark French for him to use for his business. Patricia Dow asked about the seating arrangements inside. Mark French responded with none. He stated that the kitchen would be inside, and all seating would be outside. He calculated at least 24 tables would be available in his restaurant.

Patricia Dow asked for the Lagoon's hours of operation. Mark French explained food would be served between the hours of 11 am to 10 pm and the bar would close at 11 pm. Patricia Dow stated that she found an excerpt in the application that mentions painting. Mark French stated that he had already painted the area brown as it was chipping. He expressed that he would like to paint the floor but won't do it until next year. Patricia Leland questioned if the minimal construction mentioned was just putting up the fence. Mark French confirmed. Patricia Dow asked if there would be any signage. Mark French advised that he wasn't interested in doing a sign for that area right now. He has one A-frame sign that he uses and uses Google to advertise his business. Patricia Leland worked with the Board to have all elements included in the motion. Patricia Dow asked Mark French the number of tables he said he'd have. Mark French responded with eight as it would seat 32.

Patrina Leland made a motion to approve the application created by The Lagoon Mark French, SPR#12-2023, tax map 251.18-3-57, 204 Canada Street Suite 11. The applicant is seeking approval for the remodeling for the previous Taste of India location into an additional unit for the Lagoon. There will be minimal construction to the outdoor section of this area. The outdoor construction will consist of installing fencing to be switched from the posts to composite or composite covers to replace the wood. The railing and the posts should be sent to Dan and the Board for approval. Also add green vines and grass walls to cover the current wall. In addition, the outdoor patio will consist of new tables and chairs from King Neptune's to include the maroon umbrellas as well as having string and shrubs lights to enhance customer experience. Lights as presented to be overhead. There's no seats inside, only outside. 32 seats, 8 tables. There will be no changes for stormwater management and the grease trap will be cleaned weekly and maintained yearly. There's no signs, only the A-frame. It's open for food 11 am to 10 pm and the bar until 11 pm.

**2<sup>nd</sup> MOTION: Walt Adams**

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

**APPLICATION: SPR#13-2023**

**APPLICANT: DC TERRA, LLC – DONATO GUADAGNOLI**

**TAX MAP: 251.18-4-28**

**ADDRESS: 81 MCGILLIS AVENUE**

**ZONE: RESIDENTIAL MIXED USE**

Applicant is seeking approval to rebuild a new dwelling at 81 McGillis Avenue. Previously, there was a residential house that was on the property. A small project permit was obtained from Dan Barusch to do renovations. During the construction, issues were arising, and the final decision was made to demolish the building. Applicant would like to utilize the existing

foundation to create a one floor residential dwelling with approximate measurements to be 708 square feet. There will be no changes to stormwater management and there will be a front walkway and front driveway for pedestrian access. The exterior dimensions will be 42' 6" by 21' 6".

Donato Guadagnoli was present to discuss the new proposed project for 81 McGillis Avenue. Patricia Dow asked Donato if he'd like to conduct his opening statement. He advised that he had purchased 81 McGillis from the guy who had the house from an estate. He advised he obtained a permit to start the upgrade but he found out the house was termite infested and he had to demolish his house to start anew. He also included that he purchased 75 McGillis and is working on upgrading that in the future.

Reviewing the application and the plans brought to the Board by the applicant, questions started flowing in relation to the construction. Patricia Dow informed Donato Guadagnoli that the plans show 74 McGillis instead of 81 McGillis. Donato Guadagnoli apologized and informed the Board that it should reflect 81 McGillis and he will make that change with his contractor. Donato Guadagnoli expressed that there would be no changes to the foundation and the total square footage is 708. Donato Guadagnoli added that he has a second home on Helen Street; the corner house that was bought in 2018.

Donato Guadagnoli stated that he was told 75 McGillis had been abandoned for quite some time. He continued to say that he'd be working to upgrade the property to make it more appealing. Patricia Dow stated that 75 McGillis wasn't abandoned. She recalls that years ago, she delivered flowers there for a Community Project to that house. Dean Howland asked about the color chosen for the siding. Donato Guadagnoli advised that the house would have white siding and black shingles for the roof. He asked the Planning Board on what would happen if he decided to change his mind on the color. Would he have to go back to them or could he discuss the color change with Dan Barusch? The Board stated that if there is any change, he would have to send an email to Dan Barusch and from there, Dan would forward that over to the Planning Board for review.

Patricia Dow inquired if the bedroom would be in the basement. Donato Guadagnoli said yes and added that there's a loft area that could hold a bed as well. Patricia Dow asked the Board if they had any further questions or concerns. The Board concluded that they would make a motion to approve the application as presented with one condition.

Patrina Leland made a motion to approve the application created by DC Terra LLC, tax map 251.18-4-28 for 81 McGillis Avenue with a noted change to the plans change from 74 McGillis to 81. Seeking approval to rebuild a new dwelling at 81 McGillis, previously there was a residential house that was on the property had to be demolished and rebuild based on the applicant's prints that they gave to us, 708 square foot. There will be no changes to storm water management and there will be a front walkway and front driveway for pedestrian access. The exterior dimensions will be 42' 6" by 21' 6". As of now, it's white siding with black shingles on the roof. If different, will be sent to Dan and then the Board for approval. He's using the same foundation and the same footprint.

**2<sup>nd</sup> MOTION:** Walt Adams

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

**PUBLIC HEARING:**

**APPLICATION: SUP#1-2023**

**APPLICANT: B & B ANCHOR – KONSTANTIN GRABKO**

**TAX MAP: 264.06-2-23**

**ADDRESS: 58 COURTLAND STREET**

**ZONE: RESIDENTIAL MIXED USE**

The Village of Lake George will conduct a public hearing in relation to 58 Courtland Street. Owner Konstantin Grabko would like to transform his residential house to a Bed and Breakfast. Per Planning Board meeting on May 17, 2023, the Planning Board reviewed the application and tabled it until a public hearing is conducted. The SEQR will be completed after the public hearing is closed. If the applicant did not complete the specifics requested from the Planning Board from the previous meeting, the public hearing will not occur and will be tabled until it's resolved. Previous information regarding the site plan application has been added down below.

“Applicant is seeking approval for a special use permit to transform their residential house to a bed and breakfast. The site is not within 500’ of the Lake. The project will provide adequate parking as the single-family house will have one big parking lot that will fit 4 cars with a front yard area. No construction is proposed. The goal of the transformation is to extend the guest capacity and to bring more income to the Village. Enclosed with application is a completed SEQR short form.”

Konstantin Grabko and Victoria Grabko were present to represent B & B Anchor.

Patricia Dow opened the Public Hearing at 5:47 pm.

Patricia Dow asked the public for their comment. There was no response. Patricia Dow asked Debonnay Meyers if there were any emails sent from the public regarding this property. Debonnay Meyers said no.

Patricia Dow closed the Public Hearing at 5:47 pm.

Patricia Dow read the questions to the Short Environmental Assessment Form Part 2– Impact Assessment. All Voting Board Members stated “No, or small impact may occur” to all of the questions.

Walt Adams made a motion to declare a negative declaration on Short Environmental Assessment Form Part 2– Impact Assessment form dated June 21, 2023 for 58 Courtland Street.

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

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

Patricia Dow reviewed his file and asked if Konstantin had followed all conditions that were discussed last meeting. The conditions included: updating the mailing address to primary residence of 58 Courtland Street, remove the listings showing short term rentals or renting the whole house for one price, measuring the size of the parking area on the property to ensure four cars can park there, and a letter from the Cocca's saying that they are giving the Grabko family permission to park Victoria's and Konstantin's car on their property. Debonnay Meyers handed Patricia Dow what information Dan Barusch had left for her in relation to this application. Debonnay Meyers informed the Board that she did get an email from Tony Cocca stating that he is allowing the Grabko family to park on their property. Debonnay Meyers passed the printed email around to the Board to review.

Debonnay Meyers asked Konstantin Grabko if the primary residence had been updated. He confirmed and handed her the car insurance policy that reflects his address of 58 Courtland Street. He provided her a copy for her records. Debonnay Meyers passed the document around to the Board for them to review.

Patricia Dow explained that Konstantin Grabko did complete all of the items that needed to be addressed. She added that the Public Hearing was held, the short SEQR was completed and, was a negative declaration. All Planning Board members reviewed all the conditions from last meeting to ensure everything was completed.

Patricia Dow made a motion to approve the application created by Mr. Grabko for B&B Anchor under tax map 264.06-2-23 at 58 Courtland Street. The request is for approval for a special use permit to transform the house, their residence, to Bed and Breakfast. There is, the conditions that have been met in terms of adequate parking to fit four cars with the neighbor extending additional parking on his lot. No construction will be done. The, there are three bedrooms, three bedrooms proposed for this B&B. We've done the SEQR, that's approved with no impact, negative declaration. The conditional approval is a one-year period for this property.

Dean Howland asked if the Board should include no advertising of an Air BNB or short-term rental in the motion. Patricia Dow indicated that in the motion, it states that this is an approval for a Bed and Breakfast only so what Dean recommended isn't warranted or needed at this time. Patricia Dow reminded everyone that this was an approval for a Bed and Breakfast as the location of his residence is in a zone that doesn't allow short-term rentals. Konstantin Grabko asked if he could advertise the whole house. The Board explained he would have to advertise it as a Bed and Breakfast and advertise the three bedrooms. Konstantin Grabko asked if he could advertise his Bed and Breakfast on Air BNB. Dean Howland said no due to the fact that Air BNB allows the owner to not be present. Patrina Leland explained that she thinks there's a Bed and Breakfast category on the site. Patricia Dow asked the Board if the motion would have to be redone to include specific details. The Board felt the motion was good and to keep it on record.



Patricia Dow indicated that in the plans, it does state that the owner will reside in the basement of the residence. The Board ensured all parties were in mutual understanding before going forward.

**2<sup>nd</sup> MOTION:** Walt Adams

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

Konstantin Grabko asked the Board when he could start. Debonnay Meyers indicated that she would have to talk with Dan Barusch. She also explained that she would have to create a business license for him. She expressed that the business license is vital and mandatory for a business to be run. If there's no license on record, it's considered illegal. Patricia Dow explained that he just obtained conditional approval so, the business license he'd have would be for one year. After that one-year mark, if there's no complaints or violations, then he could get an actual business license with the Village. Debonnay Meyers added on that the business licenses have to be renewed annually as the license expires on May 1. Debonnay Meyers asked the Board if they would like the one-year trial to end on May 1, 2024. Patricia Dow asked if the question could be forwarded to Dan Barusch as the Board doesn't know the process of the business licenses. Debonnay Meyers informed the Board that she controls the business licenses in the Village so she would be able to maintain all licenses. She explained the process of obtaining a business license from start to finish. The Board agreed to have the one-year trial end when the business license expires on May 1, 2024.

**OLD BUSINESS:**

**APPLICATION: SIDEWALK CAFÉ BARRIERS**

**APPLICANT: PABLO'S BURRITO CANTINA - BRETT LANGE**

**TAX MAP: 251.14-3-5 / 251.14-3-6**

**ADDRESS: 275 CANADA STREET**

**ZONE: COMMERICAL MIXED USE**

Brett Lange was present to represent his two businesses, Pablo's Burrito Cantina and Jack Barry's. He reached out to Dan Barusch to obtain approval for new sidewalk café barriers for Pablo's Burrito Cantina. Per discussion during the last Planning Board meeting, Carol Sullivan recalled a prior approval for the same sidewalk café barriers for Jack Barry's. After discussing the emails that Carol found and the fact that Jack Barry's hasn't used the approved sidewalk barriers, the Board wanted Brett Lange to appear in front of the Planning Board to discuss this in further detail and to clear up any confusion.

Patricia Dow indicated that there was confusion amongst the Board in relation to the railings. She indicated that at Jack Barry's, there were railings installed that weren't approved by the Planning Board. Brett Lange indicated that those railings had been there since it was SJ Garcia's, back in the early 2000's. Patricia Dow asked Debonnay Meyers if she knew any details about this. Debonnay Meyers explained that her and Dan Barusch did not discuss the specifics of this

case. Debonnay Meyers handed over a print out of the email and she said that what was enclosed in the email was the only information she has knowledge of.

Brett Lange indicated the railings would be the same as Auntie Anne's. Patricia Dow indicated that when SJ Garcia's turned into Jack Barry's, there was a proposal that was submitted and what was submitted doesn't match what's currently at the building. Brett Lange explained that the company that made the railings for Auntie Anne's is the same company he's going through to obtain these new barriers. He stated that the Planning Board approved Auntie Anne's for their railings and there should be no reason why they won't approve his. Patricia Dow expressed that she doesn't see any issue with approving the barriers. She asked the Board for their comments. Patrina Leland checked Google Maps on her phone to see if she could see the barriers. She indicated that it doesn't show on the app.

Patricia Dow made a motion to approve the proposal as follows: This is a proposal for Pablo's on Canada Street at tax map 251.14-3-5 / 251.14-3-6, Brett Lange's business, that the outside, the railing for the outside café would be the same as that in existence which has been previously approved for Auntie's Pretzel, Auntie Anne's Pretzel. It's going to be silver but exactly the same in any other aspect as Auntie Anne's with the flower provided and kept up for Pablo's.

**2<sup>nd</sup> MOTION:** Kevin Merry

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

The Board requested Brett Lange to email the picture of the railing to Dan Barusch for record. Debonnay Meyers informed the Board that Dan Barusch won't be back from vacation until next week.

**APPLICATION: SPR#14-2023**

**APPLICANT: BISCOTTI BROTHERS CAFÉ – YERBOL KENZHEBEKOV**

**TAX MAP: 264.06-2-1**

**ADDRESS: 1 CANADA STREET**

**ZONE: COMMERICAL MIXED USE**

Applicant is seeking approval to allow outdoor seating for his business, Biscotti Brothers Café. The outdoor seating area will have tents overhead that will be professionally installed with stakes driven into the asphalt and secured with 50-gallon water barrels. The water barrel's will be disguised in an appropriate manner. The applicant will appear in front of the Zoning Board on June 7, 2023 for relief of 220-27(B)(1)(E): Tent permits are valid for a maximum of seven days from the first date of use. There shall be temporary landscaping, plantings and string lights around the tent that will be pleasing to the eye. Any debris from the foliage will be maintained daily. Applicant is requesting outdoor seating to cater to his customers as majority of his customers still want to be cautious of COVID-19.

Yerbol Kenzhebekov was present to represent Biscotti Brothers Cafe. Yerbol Kenzhebekov conducted his opening statement by introducing himself as the owner of Biscotti Brothers Café

and Saluti. He asked for the Planning Board to approve his request of allowing the tents for his two restaurants. He stated that he appeared in front of the Zoning Board and obtained a conditional approval. The conditional approval allows him to have the two tents over the 14-day limit until Labor Day.

Yerbol Kenzhebekov indicated that when COVID-19 hit, it was difficult to keep his businesses afloat. He continued to explain that due to the struggles of the surrounding businesses in the Village, the Village Board passed a temporary law to allow tents. These tents allowed social distancing to be enforced and allowed customers to be outside for good airflow. Yerbol expressed his gratitude to that law as it had saved his two restaurants.

He explained that when he was setting up this year, he didn't know the tent law would be no longer valid. Yerbol had bought new materials to keep the tents outside in his parking lots. He explained that the tents and the outdoor seating had become part of his business. He informed the Board that he had already started setting everything up, starting with repaving the area where the tents would be to adding flower boxes around the area. He added that each foot long stake would have gallon support for each pole. He explained that due to the location of his two restaurants, there isn't much foot traffic going to his establishment. He explained that there is more footwork down by Beach Road than near his business. All of his customers drive to his business. He understands that he's within the Village and has to follow the Village Code but he's requesting for a one-time approval for his tents.

He further explained that his customers prefer to be spaced out more for privacy and the tents provide that. He added that his business currently is year-round. With his business open all year, he expressed that it's essential to make money during the busy season. He explained that the tents help his business as it allows space for 15-top tables. Yerbol concluded his opening statement with promising the Planning Board he will only use the tents for June and July of 2023 and will make plans with the both Boards to find a solution to make everyone happy.

Patricia Dow asked the Board if they had any questions for Yerbol regarding 1 Canada Street. Patrina Leland said no and stated that she's been to the restaurant prior. During her experience, she was under the tent and she did express that the area was very inviting and pleasing to the eye. Dean Howland agreed and stated that he's been at the restaurant as well.

Walt Adams questioned how many tables would be outside. Yerbol responded with six or seven. He explained that he's aware of the 50% rule where the outside can't be more than 50% of the inside. Patricia Dow asked what kind of tables would be outside. Yerbol stated the tables would be four-tops. Walt Adams asked if all the tents would be white. Yerbol confirmed. Dean Howland expressed that he would be okay with the tents for now to help out local businesses.

Yerbol explained what occurred during the Zoning Board Meeting. He stated that the Zoning said that they will not approve the tents next year so he would have to find another way for outdoor seating. He added that he did make an investment and is willing to create something to cater to both Boards.

Patricia Dow wanted clarification on the side walls. Yerbol explained that the side walls would be down. Patricia Dow then questioned what would Yerbol do with extreme weather. Would he take down the tent? Yerbol responded back with yes. Patricia Dow asked if such event had ever happened in the past. Yerbol explained that he has had the tents for multiple years now. He stated that the stakes, the poles and the water gallons he'd been using do make the tent secure.

Walt Adams made a motion to approve Biscotti Brothers Café at 1 Canada Street, tax map 264.06-2-1, to install outdoor tent that's white, with up to seven tables and, the temporary period until Labor Day. With some temporary landscaping thrown in.

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

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

**APPLICATION: SPR#15-2023**

**APPLICANT: SALUTI – YERBOL KENZHEBEKOV**

**TAX MAP: 264.06-2-3**

**ADDRESS: 25 CANADA STREET**

**ZONE: COMMERICAL MIXED USE**

Applicant is seeking approval to allow outdoor seating for his business, Saluti. The outdoor seating area will have tents overhead that will be professionally installed with stakes driven into the asphalt and secured with 50-gallon water barrels. The water barrel's will be disguised in an appropriate manner. The applicant will appear in front of the Zoning Board on June 7, 2023 for relief of 220-27(B)(1)(E): Tent permits are valid for a maximum of seven days from the first date of use. There shall be temporary landscaping, plantings and string lights around the tent that will be pleasing to the eye. Any debris from the foliage will be maintained daily. Applicant is requesting outdoor seating to cater to his customers as majority of his customers still want to be cautious of COVID-19.

As both applications were identical, the Board had already discussed this matter in the last application. Therefore, a motion will be made immediately.

Walt Adams made a motion for approval for the application for tents to Saluti at 25 Canada Street, 264.06-2-3, to install tents with six to seven tables for one year and to be removed after Labor Day.

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

Patricia Dow	Patrina Leland	Walt Adams	Kevin Merry	Dean Howland
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nays = 0 Recused = 0 Absent = 1 Motion carried.

Yerbol Kenzhebekov asked Debonnay Meyers if he's all set to put up the tents. The Board asked Debonnay Meyers if he should reach out to Dan Barusch about that. Debonnay Meyers explained

that Dan Barusch did state in the Zoning Board meeting that if Yerbol got approval from both Boards, he is all good to go with putting up the tents.

**APPLICATION: SIGN#9-2023**

**APPLICANT: VINCENT CIANCIOLO – BAMBAZ MAC-N-CHEESE**

**TAX MAP: 251.18-3-63.2**

**ADDRESS: 164 CANADA STREET**

**ZONE: COMMERCIAL RESORT**

This application has been reviewed by the Planning Board on April 19, 2023 and has been tabled. Applicant is re-appearing in front of the Planning Board for approval on their sign for their new business. Applicant will be appearing in front of the Zoning Board on June 7, 2023 for relief of 220-24(A)(8)(C): A maximum of four colors is allowed for the entire sign, foreground, background, border and text. Previous information regarding the sign application has been added down below.

“Applicant is seeking approval for one new wall sign for their new business, Bambaz Mac-N-Cheese. The sign is shaped as a rectangle that will be mounted to the building, facing Canada Street. The sign will be 120” x 20” and will be made out of hard plastic. The applicant did provide two options for the Planning Board to review. The first option includes a yellow-ish “cheese” background color with the white-colored lettering saying “Mac-N-Cheese” on the top line and the second line stating “Tater Tots & Meatballs” with their web address on the last line. The second option includes a purple background color with the orange-colored lettering saying “Mac-N-Cheese” on the top, “Tater Tots & Meatballs” in the middle and their web address on the bottom. Both options will include a macaroni man on the right side and the business logo on the left side, both 16”. Either option would utilize the existing two gooseneck lights.”

Patricia Dow informed the Board that there will be no discussion regarding Bambaz Mac-N-Cheese as the applicant did not show up to the meeting.

**MINUTES:**

**APRIL 19, 2023 (CS, PL, PD, DW, DH)**

Debonnay Meyers informed the Board that there will be no discussion of April’s meeting minutes. There was no motion made for April 19, 2023. April 19, 2023 meeting minutes will be addressed in the next Planning Board meeting.

**MAY 17, 2023 (CS, PL, KM, PD, WA, DH)**

Debonnay Meyers informed the Board that there will be no discussion of May’s meeting minutes. There was no motion made for May 17, 2023. May 17, 2023 meeting minutes will be addressed in the next Planning Board meeting.

Motion to adjourn by Patricia Dow at 6:26 pm., seconded by Dean Howland, and unanimously carried.

Respectfully submitted,  
Debonnay Meyers