

APPROVED 9/19/07

**LAKE GEORGE VILLAGE
PLANNING BOARD**

MINUTES

JULY 26, 2007 PLANNING BOARD MEETING

VILLAGE ADMINISTRATION BUILDING – OLD POST ROAD

Board Members present:

Robert Mastrantoni, Dan Courtney, Margi Mannix, Patricia Dow, Dolores Marinelli,

Others present:

Jerry Devoe (Code Enforcement Officer), Carol Sullivan (Secretary), Dan Brown (Architectural Consultant), Jon Lapper, Peter Temeles, Chris Round, Jim Miller, Linda Duffy, Hilary Tompkins, Kevin Tompkins, Nick Cutro, Dan Garay

Chairman Mastrantoni opened the Planning Board meeting at 4 PM.

SKETCH PLAN

TAX MAP: 251.14-3-27

APPLICANT: THE GEORGIAN RESORT

ZONE: COMMERCIAL RESORT

- #2 Sketch plan review for conversion to timeshare.
- Jim Miller opened the discussion. There will be 85 units available for “time share”. The timeshare units will be efficiencies or zero bedrooms, one bedroom or two bedrooms.
- The front entrance has been “softened” by making the actual entrance less wide and adding vegetation. It is now approximately 55 feet wide and will be reduced to 25 feet wide. Consideration is being given to adding an iron fence/gateway along the sidewalk to enhance the appearance and landscape of the project.
- Pointing to the plans he developed, Jim pointed out where interior and façade work will take place.
- There will be less parking and more green space. With the underground parking there will be a total of 213 parking spaces.
- The green space will approximately triple with the new/enhanced construction. The general idea is to create a park-like setting with a lot of landscaping. The increase in green space will be approximately 6,000 square feet. The Board requested the large trees (2 ½ - 3 caliper) be larger – the next size, in order to provide more greenery.
- The banquet facility is not changing except that the façade will be updated.
- The existing docks, waterfront and the units below the concourse are not part of this project. No changes will be made and dock space will not be available to time share holders.
- The existing administration building will have a “major face lift” and some embellishments.
- There will be a new sign, however, signage will be downplayed as the focus will be on the timeshare units and creating a more private setting.
- A discussion ensued regarding storm water management. Chris Round conducted the presentation. Increased green space will allow for more storm water to remain on site. Currently stormwater runs west to east, down through the site to a retaining wall which contains open pipe work. The stormwater runs through the pipe work and into the lake.
- 2 Bio-retention devices will be used which will catch and infiltrate stormwater.

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- The DEC considers the work to be done a renovation and therefore they do not require an application for the general permit, GP020,1 for stormwater management. A SWPPP – stormwater prevention pollution plan is required but only a basic SWPPP where stormwater volumes or water quality treatment is not required because it's not feasible on sites which are already developed.
- The stormwater management system that will be installed includes 2 catch basins and a swirl separator. Stormwater will be captured in the catch basins then go through the swirl separator inducing a circular flow which allows for separation of solids, taking out nearly 80% of solids (soil, sediments, etc.) and it also removes oil and grease. This system requires regular maintenance on a weekly or bi-weekly basis. A basket that catches the soil and sediment needs to be removed and cleaned. There's also a facility which captures the oil and grease which needs to be removed and cleaned. When the sediment, oil and grease are captured the stormwater is then discharged.
- Dan Brown asked what would happen if the separator isn't maintained. Chris responded, it will clog, back-up and overflow. If we have a huge storm – 3 or 4 inches of rain within an hour and a half it will by-pass the filtration mechanism.
- Dan Courtney asked if gutters would be "going into" the catch basins. Chris responded saying the basins are mostly for the parking lot water. The roofs generally pitch to the back of the site. Any pitch on the front portion will allow for water to flow to the basins.
- Dan Brown asked if there will be gutters on the front of the buildings. Jim explained installing gutters is a possibility. The new roof will be built on top of the current roof and the natural flow is to the back of the building. About 1/3 will pitch toward the interior of the site and that can be captured. The board agreed they would like to have any water flowing to or in the "front" of the site and captured.
- The Board expressed concern because the new peaked roof will cover only a portion of the flat roof and therefore, the flat roof which is not enhanced will be visible at the back of the units. Jim explained there is a slight pitch to the current roof – the pitch is towards the back of the building. The new roof will be installed over approximately 1/3 of the current roof. The current roof will still be seen from the back of the building. Jim added that adding a peaked roof to the back of the building would be cost prohibitive. He added the view from Canada St. to the back of the building is minimal. He also showed the Board pictures he had taken from Canada St.
- Dan Brown asked about the fire walls which will have to be extended because the new roof will be added. The final design, to be presented at the Site Plan review planning board meeting, will show a more detailed view.
- Lighting will be low key. Lighting to the units will be installed but will be low key. There will also be some lighting in the central area.
- The Board discussed whether or not the entry is wide enough to allow for fire trucks going in and out. Jerry Devoe indicated he believed the planned entrance is adequate.
- The Board discussed the overlay district and the purpose. Attorney Jon Lapper pointed out the Code does not require implementation of the Overlay District requirements because the majority of the building which is being converted to time share units is in the Commercial district. Jerry Devoe referred to §220-15 – Interpretation of Boundaries, item A (6) "Where a zoning district boundary intersects a building or structure or alteration to said building or structure which exists as of the effective date of this chapter, the zoning district which is in effect for the greater portion of the structure or building shall apply to the entire building, structure or alteration." Since the greater portion of the northern motel unit building (the unit which is being converted to timeshare units in Phase I) is in the Commercial Resort District, the applicant is not required to comply with the standards set for the Overlay District."

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- The Board mentioned the intent of the Overlay District was to continue the commercial aspect of the Village on the ground level all along Canada St. and prevent residential development on the ground level.
- Construction will begin in the winter of 2007.
- The Board agreed to move this to Site Plan review for the August 15, 2007 Planning Board meeting. In preparation for that meeting the Board asked for a better visual overlay of what's on the property now and what it will look like when these new proposals are implemented and complete. A visual of the front elevation, from Canada St was requested. A visual of the view from the lake was requested.

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SPECIAL PLANNING BOARD MEETING

TAX MAP: 251.14-3-37

APPLICANT: MICKEY AND LINDA DUFFY

DUFFY'S TAVERN – LOWER AMHERST

SITE PLAN APPLICATION – 0735

ZONE: CMU

- Review of plans for a 9' by 14' deck continuation on the upper portion, "lakeside" of the building.
- Dan Courtney and Patricia Dow recused themselves. Dan Garay sat on the Board as the alternate.
- Robert read a letter from Mr. Ronald Viola, 3 Pine Point Lane.

Gentlemen I understand there is a proposal before you for a deck extension on the east side second floor of Duffy's bar. This is after you've already approved a 96 square foot expansion. Sounds like to give an inch or take a foot. If you approve this request I would request a wall be put up on the new deck as well as the existing deck, so people cannot look to the north or northeast allowing them to look over our property. We're looking to protect the families living on the point already abused by noise. More is not needed. It would be interesting to know when and why the Village contracted with the Duffys to provide music and noise to the entire Village. I live approximately 100 yards from the Duffys and it sounds like they're 50 feet away. I do not understand why so much amplification is needed for such a small building. Yours truly. Ronald Viola.

- Robert opened the meeting to the public, asking that questions and concerns be directed to the Board.
- Nick Cutro spoke to the Board, expressing concern over the noise. Nick suggested a wall be built on the deck at the north side to stop the noise. He is against any construction on the east side of Duffys.
- Dan Courtney (as a citizen) pointed out the Board approved the deck extension on the south side, making the deck bigger and louder. The Board also approved a permanent roof on the second floor. Dan expressed concern for keeping "it" on the commercial side, the Canada St. side. Dan pointed out the Master Plan (2004) addresses neighborhood and families – The Village of Lake George is a family oriented community with neighborhoods that are a source of community pride. It is the intention of this policy to ensure that residents enjoy a high quality of life with safe streets, peaceful neighborhoods, active housing and well-maintained properties. Commercial uses located next to residential neighborhoods will be integrated in a way that respects the context and scale of the surrounding uses.
- Dolores mentioned the Planning Board has a responsibility to create a balance between the business owners and the residents. Dolores went on to explain in reviewing the request and keeping in mind the responsibility of striking a balance she cannot see where this addition of a 9' by 14' deck will create a financial difference but could make a big difference to the residents.
- Linda Duffy addressed the Board. Linda mentioned she has met with the residents when she's been approached by them. She stated she feels the neighbors do not understand or appreciate the things she and Mickey do in order to maintain a balance with the residents; the windows are closed at night, music on the southwest deck stops at 10:30 PM, indoor music is stopped at 2:30 AM, the back door

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is locked at night to prevent traffic at the northeast corner of the building, the parking lot is for employees and band members only. Linda added that the parking lot could be open to the public, however, in the interest of the neighboring residents they have limited the use of the parking lot. The deck addition would create an area of 4 more tables and increase the property value. The lake view is what people are looking for when they come to Lake George. She pointed out people don't hang out on the east deck at night time and therefore, how can a noise issue be of concern when people don't hang out there and there is no evidence there would be noise on the east side. The stairway which leads to the east deck is blocked off at night. If noise is an issue it should be addressed when it becomes an issue, there is no evidence there will be a noise issue on that deck.

- Dolores pointed out a noise problem has been mentioned tonight and the Board does not want to increase the potential for noise.
- Robert asked Linda if she would consider adding a wall. Jerry Devoe clarified by asking would she consider enclosing the entire area and Linda stated, then the area wouldn't be a deck which is what people look for when they come to Lake George.
- Dan Courtney mentioned the Board already approved an additional 100 square foot deck addition when they approved the deck addition to the south side of the building. He indicated "we would like a wall" to help with the noise problem and looking down unto the houses too. A discussion ensued regarding the specific area to which Dan was speaking and it was determined he was speaking of the existing deck area.
- Robert speaking to the residents, mentioned their concerns have been heard but he also pointed out they live in an area that is commercial, Duffys is not the only business in the area where they live. Duffys and The Boardwalk have been located in this area for years.
- Linda asked if the noise was a problem during the day or at night and Dan Courtney responded, "both". Nick Cutro reinforced Dan's comment by stating "we hear the noise all the time" and it will get worse "if anything is added to that building".
- Dan Courtney also stated much of the noise is from people who are on the deck, laughing, applauding and screaming after each song. Adding a 9' by 14' deck on the east side would be more direct noise to the neighboring properties. Dan added he felt the "happy medium" was allowing the 100 square foot addition to the southern deck (Amherst side). "We're asking for even on that other 100 square feet to put a wall up, block that out. That would be the happy medium".

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- Kevin Tompkins addressed the Board, stating he lives at Pine Point. He feels the sound test isn't effective because it's done from the outside of the building at ground level at the corner of the building. The sound test should be done from the back of the building on the residential side.
- Robert polled the Board and the consensus was the Board would not be comfortable approving the deck unless a resolution could be reached regarding the noise.
- Linda asked if she could withdraw this portion of the application and if so, could she resubmit at a later date. The Board advised she could withdraw and resubmit at a later date. Linda withdrew this portion of the application, the portion pertaining to the 9' by 14' deck addition on the east side of the building.
- Robert closed the meeting.

MOTION: Margy Mannix made a motion to adjourn the Special Planning Board meeting at 6:30 PM.

2ND: Dolores Marinelli

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

Respectfully submitted, August 6, 2007
Carol Sullivan