

**LAKE GEORGE VILLAGE PLANNING BOARD MEETING  
JULY 19, 2023 – 5:00 PM  
VILLAGE ADMINISTRATION BUILDING  
26 OLD POST ROAD - LAKE GEORGE, NY  
MEETING MINUTES**

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

**Board members absent:** Kevin Merry

**Others present:** Debonnay Meyers (Planning & Zoning Clerk), Dan Barusch (Director of Planning and Zoning), Michael DiTroia, John Carr and Kris Dawson.

Carol Sullivan called the meeting to order at 5:05 pm.

The Board decided not to review John Carr's applications until all members, besides Kevin Merry, arrived at the meeting. Carol Sullivan asked Debonnay Meyers if Patrina Leland would be present for the meeting. Debonnay Meyers advised that her packet was picked up, which signaled that she would be attending.

**NEW BUSINESS:**

**APPLICATION: SPR#7-2023 (Mod)**

**APPLICANT: MICHAEL DITROIA**

**TAX MAP: 251.18-3-40**

**ADDRESS: 155 CANADA STREET**

**ZONE: COMMERICAL MIXED USE**

Applicant is seeking approval for a modification to the approval granted on March 15, 2023, for their change of use application to transform a prior gift shop (retail) space into a food service establishment. The applicant is requesting permission to modify the previous decision to include outdoor seating. The outdoor seating area will include Bluu Maple Olefin patio tables with Costway Metal barstools that will have rubber feet. Other chairs that would be purchased are FDW Metal dining chairs. Applicant is requesting three two-tops with chairs. Previous information regarding the site plan application has been added down below.

“Applicant is seeking approval to transform a prior gift shop (retail) space into a food service establishment. The interior construction will include a half wall in the center of the building to sell Italian ice and other products from, over the counter. Also, a new grease trap will be installed to remove and retain grease from wastewater in the kitchen area. The grease trap will be a standard steel grease trap, measuring 11-7/8” width, 11-11/8 height and 17-1/4” length. There is no seating proposed inside the storefront, but several high-top tables are proposed in the “screened in porch” along Canada Street. There were no other changes documented. A business license application is in process and will be granted once approval from Planning Board is given.”

Michael DiTroia was present to represent Stunad's Italian Ice. There was no opening statement conducted by the applicant. Reviewing the application and the plans brought to the Board by the applicant, Carol Sullivan opened the floor for discussion. Carol Sullivan notified Michael DiTroia that he would still have to meet the five-foot setback requirement for seating. Michael DiTroia indicated that there would be two chairs, one of the left-side and one of the right-side, of each table. Patricia Dow questioned Michael DiTroia about the size of his indoor and outdoor space. Per Village Code 220-39, any outdoor area utilized or intended to be utilized for the consumption of beverages or food shall have a setback: first floor, five feet from the public right-of-way. Also, the outdoor area may not exceed more than 50% of the interior service area of the establishment. Patricia Dow asked Dan Barusch if there were any measurements taken. Dan Barusch advised that he thought the measurements were discussed in the last meeting. Carol Sullivan advised that per March 15, 2023, meeting minutes, there was discussion about the 50% rule but nothing in relation to the square footage.

Dan Barusch notified that the outdoor area measures approximately 150 square feet. The Board flipped through the application and found a drawing that was submitted. Dan Barusch advised that the drawing unfortunately was not to scale. Carol Sullivan inquired about the inside of his establishment. She questioned if there was any inside seating for guests. Michael DiTroia responded no. Carol Sullivan made it known that the Board must know the interior square footage of his customer area. Michael DiTroia asked why they needed to know. Carol Sullivan advised that per 220-39, the outdoor area may not exceed more than 50% of the interior customer space. Dan Barusch notified the Board that he will be checking the Village Code to see if there are specific definitions included.

Michael DiTroia explained that all the application is requesting for is two chairs to be placed on either side of the table. He wasn't sure why this was such a big deal now as the tables were approved in March. Carol Sullivan states that the Planning Board was wrong for going forth with the motion without checking the interior customer service area of the establishment. Dan Barusch wanted to double check the location of where he could find the definition for service area. He asked Carol Sullivan if it was in Chapter 118. Carol Sullivan didn't recall whether if it was in 118 or 220.

Dan Barusch asked the Board their definition of service area. Patricia Dow expressed that it's where the customer area is located. She provided an example of where people would be seated and where they wouldn't be seated. Carol Sullivan recalled when the law was being looked at by the Village Board. She explained that the Village did not want all restaurants to have all outside seating with little inside seating. Dan Barusch offered to obtain measurements as the measurements couldn't be taken from the drawing. Carol Sullivan asked if Jim Anagnos would do that. Dan Barusch said yes. Carol Sullivan asked the Board if they would like to conditionally approve this application. Dan Barusch asked the Board the "what if" questions such as: if the interior of the building measures exactly 200 square feet? How would the Board demarcate the 100 square feet? Would they make them do stanchions? Carol Sullivan stated that the Board had never been in this situation before. She then indicated that Michael DiTroia could obtain a variance if they don't meet the number.

Carol Sullivan indicated that the Planning Board should have never given approval to Michael DiTroia until they had all measurements completed. Carol Sullivan asked the Board for their thoughts. Walt Adams indicated it was hard to review without accurate measurements. Michael DiTroia asked for clarification. He inquired that if the outside area measured 150 square feet and per the Code, the tables have to be five feet away from the wall; half of the space would be gone, and he only will get to work with 75 square feet. Carol Sullivan understands where he's coming from and where the confusion lies however, that is part of the Code and the Planning Board has no jurisdiction to override the rules. Michael DiTroia continued to state that what if the inside of his establishment is bigger than the 75 square foot, what would happen then? He expressed that his plan wasn't to have tables all across the 150 square foot outdoor area. Patricia Dow added that the interior measurement wouldn't include the employee area, just the customer area.

Carol Sullivan informed Michael DiTroia that she does understand what he's saying. However, there are certain protocols the Board must follow. An interior measurement of his space is mandatory. Dean Howland suggested to pause the application process to allow Michael to go to his business and measure the interior of his business while the Board reviews John Carr's applications. Carol Sullivan indicated that Michael DiTroia made a good point about how he would have a smaller area to work with with the setback in place. Dan Barusch confirmed he would have 75 square feet outside if he has 150 square feet inside. Dan Barusch asked the Board if they would want to follow Dean's suggestion or to have Jim Anagnos measure it. The Board decided to do a conditional approval to allow no more than three tables with two chairs on either side.

Patricia Dow asked for clarification as to what kind of tables he's requesting; round or square? Michael DiTroia said round tables. Patricia Dow informed Michael that the application presented to the Board shows a picture of a square table, not a round table. Michael DiTroia indicated he wasn't sure how the square table picture got mixed in with the packets. Carol Sullivan wanted confirmation from Michael DiTroia that he will not be using the square tables and will be using the pre-existing round high top tables. Dan Barusch asked what chairs he would be using. Michael DiTroia confirmed that the high-top chairs, on the last page of the application, will be the ones used. The Board wanted to ensure that he will be using two chairs per table. Michael DiTroia verified. The Board asked what color the high-top chairs would be. Michael responded with black.

Dan Barusch asked the Board if there was anything else that should be brought up. Carol Sullivan informed the Board that she noticed that Stunad's has a lot of signage everywhere. She brought up the lemonade sign as an example. She asked if they have been removed. Michael DiTroia explained that what she's seeing are stickers in the window. Carol Sullivan asked about the pennants. Michael DiTroia confirmed that the pennants are there because they made the outdoor area more inviting. He explained that the outdoor space is a dark area. Carol Sullivan indicated that there are lights available and that's a whole other issue at hand. Carol Sullivan informed Michael DiTroia that pennants are strictly not allowed in the Village per Village Code. She expressed that within that 150 square foot outdoor area, there is a lot of activity starting with the signs, the decals, the lighting and now the pennants.

Carol Sullivan asked the Board for their thoughts in relation to the matter at hand. Walt Adams, Patricia Dow and Dean Howland expressed that they were okay with the lighting. Carol Sullivan asked if the lighting stays, the pennants will go as pennants aren't allowed. The Board agreed. Carol Sullivan informed Michael DiTroia that she understands his point that the outdoor area is dark. She knew that before his business started there, that outdoor area used to be a porch. She added that the outdoor area should've had existing lighting. Michael DiTroia indicated that the location of his business has disadvantages. He explained that since because all the other businesses have windows and he doesn't, it provides a disadvantage for branding or advertising his store. He indicates the other businesses can brand their store with stickers, merchandise, and decals meanwhile he has an outdoor porch area that can't have a decoration to invite people in. Carol Sullivan informed Michael DiTroia that if he would like the pennants, he would have to appear in front of the Zoning Board to obtain a variance. She further explained that until he receives that approval, the pennants must come down. However, he could have the string lighting. Michael DiTroia stated that the string lights were from the prior business owner.

Patricia Dow indicated that Mezzaluna has a very similar situation as Stunad's. She inquired if Mezzaluna lights up their outdoor area. Dean Howland explained that Mezzaluna wrapped the lighting around the railing. The Board continued to discuss the situation at hand. Michael DiTroia spun the conversation back to the prior owners. He made it known that the prior owner used the porch to sell merchandise. They even had a bear and a penny machine as well. Patricia Dow tried to compare Stunad's and Mezzaluna. As mentioned before, they both have similar set ups. Michael DiTroia indicated that there's a difference between his business and Mezzaluna. He explained that Mezzaluna was a full-blown restaurant that includes inside seating of over 15 tables. DiTroia's business would be categorized as take-out only.

Dan Barusch informed the Board that they must make a decision to allow or disallow string lights. He continued to explained that if they say to not allow the string lights with Stunad's, Dan would have to reach out to the other establishments that have string lights to make it even. He indicated there's been a trend going on in the Village. Where if one business has string lights, two businesses will take notice and follow their footsteps. Carol Sullivan expressed that the string lights have more purpose for DiTroia's business than the pennants do. She told Michael DiTroia that if he would like to keep the pennants, he'd have to appear in front of the Zoning Board of Appeals. Michael DiTroia asked when the next ZBA meeting would be. Debonnay Meyers indicated the next Zoning Board meeting would be August 2, 2023 however, the deadline for applications had passed.

Carol Sullivan explained to Michael DiTroia that Debonnay Meyers must meet certain deadlines in order for the meeting to be valid. Debonnay Meyers stated that she submitted all time sensitive information already and wouldn't be able to add him in for August. She did offer September. Dean Howland indicated the season would be over then. Michael DiTroia stated that he would rather remove the string lights than the pennants. Carol Sullivan readvised him that the pennants are not allowed. Dan Barusch chimed in and explained why the pennants aren't allowed in the Village. Michael DiTroia asked if the porch was a window, would he be allowed to hang pennants? Carol Sullivan responded with no.

Michael DiTroia turned the conversation as to what other businesses have in their windows. He advised there's a law about covering 50% of the window. He indicates that majority of the businesses don't even follow that law. Dan Barusch advised that it's 33%. Michael DiTroia indicates it's unfair that because he doesn't have an outer window like the other businesses, he's unable to use the 150 square foot porch in front of his business. The Board informed Michael DiTroia that he made the decision to rent that store. Everything he had mentioned ultimately leads to his decision with picking that store. Michael DiTroia asked if he had kept the screen for the porch, he would be able to hang stuff from the screen? Carol Sullivan advised the pennants would not be able to remain, even with the screen being there. The Board and Michael DiTroia discussed what he would have to do to appear in front of the Zoning Board and what specifically he's asking for. Michael DiTroia wanted confirmation that the next ZBA meeting was in September. Dan Barusch stated that the deadline for September would be August 15<sup>th</sup>. The deadline for August was July 14<sup>th</sup>.

Michael DiTroia interjected with stating that he wouldn't have known any of this until he came before the Planning Board. Dan Barusch responded that the Planning Board wouldn't have known if he never told them he had put up the pennants. Dan Barusch explained that there's a reoccurring theme that he's noticed. The theme was Michael DiTroia would appear in front of the Planning Board and ask for the chairs with no tables and then once he gets the approval; Michael would put up the lights, neon lights, the pennants and multiple A-frame signs in the outdoor space. Michael DiTroia stated that he didn't realize that the Planning Board had jurisdiction of everything on the porch. He explained that he's still learning. Patricia Dow informed Michael DiTroia that there's a website that has the Village Code on it. She also added that on the same website, there are minutes posted that describe what happened during the prior meetings. Patricia Dow explained that the Board doesn't know what the applicant wants without the applicant saying what they want. She indicated that they have given him suggestions like, removing the wall to have a sidewalk café space.

Michael DiTroia asked the Board who he would need to speak with in order to change the pennant rule. Patricia Dow told him the Village Board. Dan Barusch explained the Village Board is the only Board that can change the laws. He added that he spoke with Traci about this already but, if they wanted to, they could attend a Village Board meeting and address their concerns.

Dean Howland asked the Board on what they would be approving. Carol Sullivan explained that the tables and chairs would be conditionally approved. Dan Barusch added that the existing lighting could be approved by the Board. Dan Barusch then asked Michael DiTroia if he had removed the other signs. Dan Barusch informed the Board that Jim Anagnos had witnessed several violations and Michael had been talked to about it. Michael DiTroia explained that there's one A-frame sign and a menu board.

Dan Barusch did inform Michael DiTroia that the Village will be working on redoing the Comprehension Plan. Multiple sections will be reworked, including A-frame signs. Dan Barusch advised that there would be changes so he should keep an eye out for them when the time comes. Carol Sullivan quickly changed the conversation back to their decision to approve or deny the application.

Patricia Dow made a motion to conditionally approve the three oval current tables with two higher height chairs at each table, out in the outside space, outside of the main store with the condition that these are approved if the measurement of the outside space and the consideration of the five-foot setback, that's necessary for the tables, is 50% less than the inside customer space measurement and the current lighting of the rope lighting, string lighting, is allowed and find the pennants, will need to come down.

**2<sup>nd</sup> MOTION:** Dean Howland

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

Aye = 5 Nays = 0 Absent = 2 Motion carried.

**APPLICATION: SPR#17-2023**

**APPLICANT: RICHARD SCANLON**

**TAX MAP: 251.14-3-26**

**ADDRESS: 400 CANADA STREET**

**ZONE: COMMERCIAL MIXED USE**

Applicant is seeking approval for a boat charter. No Shoes Cruises will be operated by Richard Scanlon and will be located at the Surfside on the Lake. Scanlon purchased and will be utilizing a 2020 27' Avalon Quad Lounger Pontoon Boat. NYSDEC inspected the vessel and certified it on May 1, 2023. The boat will be operated all over Lake George and will be used for sight-seeing and water sports. The boat is allowed to have a maximum of 14 passengers. In the off season, No Shoes Cruises will store the vessel in Scanlon's garage in Kingsbury. Surfside at the Lake has allowed Scanlon one parking space on site. Passengers that are guests of the Surfside will use the parking lot. Passengers who aren't staying at Surfside will be directed to use public parking. Carpooling would be suggested to those passengers.

Kris Dawson was present to represent No Shoes Cruises. Kris Dawson introduced herself as the general manager of the Surfside Hotel. She indicated that she's here to cover for Richard as he's not in the area. Reviewing the application and the plans brought to the Board by the applicant, Carol Sullivan opened the floor for discussion. Carol Sullivan wanted to ensure that No Shoes Cruises will be the only tour boat for the Surfside. Kris Dawson said yes. Walt Adams had questions about parking. Kris Dawson indicated that the hotel does have parking. She explained that parking won't be an issue as Scanlon's customers will majorily be guests that are staying at the Surfside.

Kris Dawson started to describe who Richard Scanlon was as a person. She explained that she's known Richard Scanlon for 21 years and he's a great person to work with. She went on to saying that Richard came to her regarding an open deck spot on her property and convinced her how profitable it would be for the Surfside and for No Shoes Cruises. She also added that he was a fire fighter so he would know the safety protocols.

Carol Sullivan asked Kris Dawson if Richard Scanlon would do night time tours. Kris Dawson responded back with no. She explained that the parking during the night time would be harder than during the day. She stated that guests typically leave during the day to be out and explore

which would leave open parking spaces. Dan Barusch advised the Park Commission will stipulate what Richard Scanlon would have to do. Kris Dawson believes the meeting with the LGPC is July 25, 2023. Kris Dawson advised that Richard wants to tour up north. Dan Barusch continued the conversation stating what the LGPC would go over, what their jurisdiction is, etc.

Patricia Dow had a question in relation to a prior application for tour boats. Patricia recalled back in May 2022 when O'Sullivan's was working to obtain a tour boat, the LGPC indicated that they had to have two spaces for one tour boat that will hold eight to ten people. Her question was in relation to No Shoes Cruises as this one will have 14 people. Would they have to follow the two-space rule? Dan Barusch and the Board advised that the LGPC would review that and make the decision.

Patricia Dow asked the hours of operation. She explained in the applications, it states that Scanlon's plan is to have up to three tours a day. She wants to know exactly what hours, how many hours will the tours last, and if the tours will occur during the fireworks. Kris Dawson explained that Richard Scanlon didn't go into extreme detail as to what he wants to do. It could be a two-hour tour up to a six-hour tour.

Patrina Leland arrived at the meeting at 5:50 pm.

Dan Barusch offered to call Richard Scanlon. Kris Dawson wanted Dan Barusch to call him. Dan Barusch called Richard Scanlon at 6:02 pm. Dan Barusch asked Richard Scanlon about his hours of operation. Richard Scanlon said 10 am to dusk with the exception of a customer requesting to see the fireworks. Dan Barusch asked the Board if there were any other questions for Richard before the call disconnects. The Board said no.

Walt Adams made a motion regarding tax map 251.14-3-26 for 400 Canada Street for approval for the boat charter, No Shoes Cruises, operated by Richard Scanlon, located at Surfside on the Lake to be used for sight-seeing and water sports. Parking would be as parking allows at the Surfside. Parking lot or additional parking it's public parking. The operation of hours of 10 am to dusk and pending approval of the Park Commission to be able to operate.

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

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

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

Dan Barusch advised that the motion would be written up as a conditional approval that includes the Park Commission portion and the hours of operation.

## **OLD BUSINESS:**

**APPLICATION: SPR#11-2021 (Mod)**

**APPLICANT: ADIRONDACK PUB & BREWERY, INC (JOHN CARR)**

**TAX MAP: 264.06-2-40**

**ADDRESS: 33 CANADA STREET**

## **ZONE: COMMERCIAL MIXED USE**

Applicant would like to discuss the requirement of the \$10,000 bond for his project with the Planning Board. Applicant would like the Planning Board to reconsider and remove the bond from their motion made in July of 2021.

John Carr was present to represent Adirondack Pub & Brewery. John Carr brought copies of the plans to showcase his project. He handed them out to the Board members as he recalls not all Board members were present in 2021.

John Carr conducted his opening statement informing the Board that he is one of the few year-round businesses in the Village. He indicated that the rear portion of the Adirondack Pub & Brewery is where a lot of the activities take place. He expressed that he would like to enclose that area so no one is in the snow. He continued to explain that the area had been paved prior and there should be no concern about stormwater as its 1000 space per room. He said with the walls, it would enclose the elevator and would make the cooler be attached to the building.

John Carr recalled back in 2021 the application was approved to allow customers to have that desired room and space due to COVID. He said during that approval, the bond of \$10,000 was put into the motion. He explained that back in 1999, he didn't have to submit any kind of money to complete his project. He expressed that he understands the Board and the Planning and Zoning Department use the bond as a tool to ensure all projects get completed but, he has completed over 50 projects in surrounding areas and never had to make a bond payment before. John Carr did explain that other projects that were more intense with construction than his wasn't given a bond requirement. He understands that the Board focuses on the stormwater and the landscaping aspects of the project. He was under the impression that the bond was established for those two reasons.

Carol Sullivan advised that the financial instrument portion of the code had been rewritten in August 2022 to provide more details. She explained the point of the financial instrument was to provide comfort to the Planning Board. There had been projects that were approved by the Board that went through its' course with Dan Barusch and Warren County. When it came to Warren County, a CO would be provided. When the CO would be provided, the person who was working on the project would never complete what the Planning Board focuses on as a whole. The Planning Board reviews the façades, the stormwater, landscaping, etc. Carol Sullivan stated that they weren't singling John Carr out. The Planning Board had to view it in multiple different ways.

John Carr explained that the stormwater for his project was voluntary, not mandatory. John Carr started to name of projects that have had more stormwater impact that didn't require a bond. He indicated that his project involves adding trees and trying to improve the image of his establishment. Carol Sullivan asked John Carr's opinion on whether the Planning Board should've applied bonds to those projects. John Carr said he was just providing history of prior projects.



Patricia Dow and John Carr started going into details about the multiple projects. She explained that The Anchor, The Carriage House, and The Georgian project had interior construction which didn't affect the outside. The Lighthouse project was just changing the signs and facades of the building to reflect new ownership. Christie's project was just replacing the roof. Patricia Dow indicated that the Planning Board had valid reasonings to not add a bond for those projects. John Carr indicated that he won't be adding new impervious. Instead, he'll be building on the existing and not changing the stormwater. Patricia Dow did indicate that she was leaning toward removing the bond from the motion. Carol Sullivan did indicate that if stormwater was mandatory, the bond would be required. With John Carr's situation, it wasn't mandatory to do stormwater so the bond should be removed. Patricia Dow had a question in relation to parking. She wanted to make sure there was still adequate parking for guests. John Carr confirmed. He added that only two spaces would be removed as trees would be planted.

Carol Sullivan asked the Board their thoughts on removing the bond from the motion. All Board members agreed. Carol Sullivan advised that they would have to amend the motion to delete the financial instrument. The Board and Dan Barusch talked about previous projects that didn't have excavation.

Carol Sullivan made a motion to amend the July 21, 2021 motion on tax map number 264.06-2-40 Adirondack Pub and Brewery to delete the statement "This is conditional upon receipt of a \$10,000 financial instrument to be held in a non-interest-bearing escrow account." That statement will be deleted and John can go forward with his project without the requirement of the \$10,000 financial instrument.

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

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

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

**NEW BUSINESS:**

**APPLICATION: SPR#16-2023**

**APPLICANT: JOHN CARR**

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

**ADDRESS: 68 IROQUOIS STREET / 327 CANADA ST. PARCEL**

**ZONE: COMMERCIAL MIXED USE**

Applicant is seeking approval to transform a previous laundry space into a residential three-bedroom apartment. The construction consists of installing new egresses, three walls, new toilets as well as a kitchen area. The square footage of the whole apartment will be around 900 square feet. The apartment will have a planned occupancy of 10 and the apartment will include one full bathroom with two toilets as well as a shared common area. There will be no exterior construction.

John Carr was present to represent 68 Iroquois Street project. John Carr conducted his opening statement by stating the goal for this project was to provide quality student housing for his J-1

workers. He explained there's always been an issue with finding affordable and quality housing and this will help fix the problem. John Carr indicated that the apartment will be usable in the winter months. He said due to the size of the apartment, there can only be 10 people inside max. However, the 10 students would not come at once. Some of the students would come in May, some in June, some in August and could leave in August or October.

John Carr indicated the apartment space would be good for the winter J-1 students as well. He started to explain what security measures he would have available for the apartment. An example provided by John was the two-egress shown in the plans that he'll have available for kids as escape routes. He explained that if there ever was a fire, the kids would be able to use those to escape. He also explained that the building has foam insulation that was completed 12 years ago. He concluded his opening statement by adding that the building would be connected to sewer and water and will utilize natural gas.

Walt Adams had a question about the laundromat. John Carr indicated the laundromat in that location had been removed and been gone for years. He stated that he would've done a laundromat but due to the congestion, the commercial activity and the parking conflicts on Iroquois Street, it wouldn't be a smart area.

Carol Sullivan inquired about the 10 people max. She wanted to check if the maximum was per state code. John Carr confirmed. Carol Sullivan asked John Carr if there was a chance for all 10 kids would come at once. John Carr indicated there could be if all the kids got their visas all at the same time. He also added that depending on the country, the kids may come as early as June 15<sup>th</sup> when they don't start employment until July 1<sup>st</sup>.

John Carr made it clear that the housing for the students is a clear problem for the community. The Village unfortunately doesn't have much housing available, and they have all these kids coming from other countries late at night with no where to stay. John Carr stated that he houses his own workers, and this plan is to expand the housing so more kids can get quality housing.

Patricia Dow made a motion to approve the former laundromat, tax map 251.14-2-2, at 68 Iroquois Street to transform this previous laundromat to a residential three-bedroom apartment. Housing by code up to 10 people, predominately for foreign students year-round.

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

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

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

Patrina Leland apologized for being late to the meeting. Dan Barusch indicated the time of the Planning Board meeting should be up to all Planning Board members. Dan Barusch provided three options for them to pick from: set the meeting at 6 pm, set the meeting at 5 pm, or fluctuating between 5 pm and 6 pm depending what's on the agenda. The Board came to the decision of setting the meeting at 5 pm.

## **MINUTES:**

### **APRIL 19, 2023 (CS, PD, DW, WA, DH)**

Carol Sullivan asked the Board for their thoughts on the minutes. The Board had no comments regarding the meeting minutes. Carol Sullivan suggested to Debonnay Meyers to mention the variance in the very beginning but, the decision to do so is ultimately up to the minute taker.

Patricia Dow made a motion to approve the April 19<sup>th</sup> Planning Board minutes as typed.

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

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

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

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

Carol Sullivan asked the Board for their thoughts on the minutes. The Board had no comments regarding the meeting minutes.

Patrina Leland made a motion to approve the May 17<sup>th</sup> meeting minutes.

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

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

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

The Board asked Dan Barusch if there would be an August Planning Board meeting. Dan Barusch asked Debonnay Meyers if there was one. Debonnay Meyers reminded him that The Lobster Pot would be appearing. Dan Barusch explained to the Board that the reason The Lobster Pot would be appearing in front of the Board was due to the tent rule, that the Village Board approved during COVID, had expired. The Lobster Pot will be following the same footsteps as Saluti and Biscotti Brothers Café to get their tents.

Dan Barusch went into extreme detail to explain the whole scenario regarding The Lobster Pot. Starting with the process of the Zoning Board to what the Planning Board will review. Dan Barusch also added that The Lobster Pot currently has four tents that were not approved all throughout the outside of his establishment. Carol Sullivan asked Dan Barusch to have Jim Anagnos measure the interior of the business as per Village Code, the outside of the business must be 50% of the interior customer area. Dan Barusch advised that Jim, Debonnay and himself looked through the property maintenance files for The Lobster Pot to try and locate prior approval for the outdoor space. Dan Barusch explained that there were no records found. He added that when Carol Sullivan left the Planning and Zoning Department and before Dan Barusch started as the Director, there was a possibility that some of the documents got lost. However, The Lobster Pot would have to appear in front of the Planning Board anyways for the look of the tent.

Dan Barusch changed the topic from The Lobster Pot to an upcoming new law. He explained that the Village Board would be working on a law during the off season that would allow tents. Carol Sullivan added that if the tents look nice, like Saluti's and Biscotti Brothers, she'd have no problem with the new law. Dan Barusch advised the Board that he will help establish the code for the tents with the Village Board. Dan Barusch also added that the Comprehensive Plan will be receiving an update the next following year. He stated that he would include all members to review and work on the plan before it's published.

Dan Barusch changed the topic to inform the Board that they should strive to improve their motions to include specific conditions. Dan Barusch explained that the conditional approvals are easier to handle as Jim Anagnos and Dan Barusch can enforce the rules that come with the conditional approval. Dan Barusch provided scenarios and suggestions.

Dan Barusch and the Board had several conversations in relation to what they're going to be looking for regarding the Lobster Pot. How long ago was the deck built and will that deck have seating? Was the deck grand-fathered in? Should they approve for all four tents with the condition of removing the metal poles? What outdoor furniture would be placed outside?

The Board, Dan Barusch and Debonnay Meyers had a conversation in relation to Jim Anagnos. The Board wanted to express how appreciative they are of him as he's very well-rounded and sharp. Dan Barusch advised he had received phone calls from people complaining about Jim. Dan Barusch said that Jim is doing a wonderful job and catching things that even he had missed over the years.

The Board and Dan Barusch discussed all the applications and applicants that appeared in front of them this meeting.

Motion to adjourn by Carol Sullivan at 7:30 pm., seconded by Patricia Dow, and unanimously carried.

Respectfully submitted,  
Debonnay Meyers