

## **APPROVED 9/19/07**

Minutes of Lake George Planning Board Meeting, held **AUGUST 9 , 2007 @ 10:00 PM** at the Village of Lake George Administration Building, Old Post Road, Lake George, New York.

Page 1 of 2

### **Board Members present:**

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

### **Others present:**

Jerry Devoe (Code Enforcement Officer), Carol Sullivan (Secretary)

Chairman Mastrantoni opened the Planning Board meeting at 10 AM.

The Planning Board met this morning to discuss the Overlay District, its intent and application and revisions to the Code which would accurately reflect the intent of the Overlay District.

The Planning Board members feel there are inconsistencies in the current Zoning Code which make it difficult to apply the intent of the Overlay District particularly to larger properties.

The members agreed they would like to bring ELAN into future discussions regarding amending the Code language. They want the Code to accurately reflect the intent of the Overlay District with regard to its boundaries and purpose.

Currently the Code makes reference to the Overlay District in the following:

§220-13 Establishment of Districts.

- Downtown Canada Street Overlay. The Downtown Canada Street Overlay District is intended to protect and promote commercial development in the downtown Village core by preventing residential development from becoming a prevalent feature of the streetscape.

Use Table

- The Overlay District is not listed as a zone across the top (as are the R, RMU, CMU, and CR zones).
- The Overlay District is referenced in footnote #3 - Residential uses in the CMU and CR Districts covered by the downtown Canada Street Overlay are prohibited from locating on the street level.

§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.

The Board identified some problems with the Code as it's currently written with regard to the Overlay District.

- Any building where the greater portion of the building is outside the Overlay District does not have to comply with the requirements of the Overlay District – i.e. no residential at the street level. Many of the properties located on the eastern side of Canada Street fall into this category and if converted to time share units could have a residential unit on the street level of Canada St.
- While residential units are prohibited there is no reference in the Code defining “commercial development” or its intent.
- Retail General and Retail Neighborhood Commercial are defined. The Board would like to explore either using these definitions with regard to commercial development or perhaps, developing additional definitions.

## APPROVED 9/19/07

Minutes of Lake George Planning Board Meeting, held **AUGUST 9 , 2007 @ 10:00 PM** at the Village of Lake George Administration Building, Old Post Road, Lake George, New York.

Page 2 of 2

- The exact footage of the Overlay District is not defined except in the Interpretation of Boundaries section. Even in this section the exact footage is not stipulated. The Board feels the Interpretation of Boundaries language is inadequate because as it is currently written many of the properties on Canada St. would not have to comply with the requirements of the Overlay District.
- The Board feels "parking" needs to be addressed as it relates to the Overlay District. If the only portion of a property that abuts Canada St. in the Overlay District is a parking lot then, as currently written, that area could remain a parking lot eliminating the development for a more inviting streetscape at the street level.
- The Planning Board agreed the street level streetscape could include professional offices, upscale retail stores, cafes, restaurants and the like. Time-share offices, gas-stations, drive-through windows, etc. would not be desirable.
- In order to protect the commercial core of the Village the Planning Board feels the Overlay District should be extended to include Lake Avenue on the north and east side of Canada St. and also the northern boundary of Econolodge on the western side of Canada Street. They also feel consideration should be given to extending the Overlay District along the south side of Beach Road where the shops are located on the street level.

**MOTION:** Dan Courtney made a motion to adjourn the Planning Board meeting at 11:15 AM.

**2ND:** Margi Mannix

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

Respectfully submitted,  
AUGUST 13, 2007  
Carol Sullivan