

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
AUGUST 19, 2015
PLANNING BOARD MINUTES**

Board members present: Robert Mastrantoni – Chairperson, Patricia Dow, Chuck Luke, Dan Wolfield, and Dean Howland

Board members absent

Others present: Katharine Erceg (Secretary), Doug Frost (Code Enforcement Officer), Linda Gibson, Michael Stafford, Maureen Stafford Letta, Jonathan Lapper, Tom Nace, Dave Kenny, Kimberly Nicholson, Craig Nicholson

TAX MAP NO.251.14-4-30

APPLICANT: JONATHAN LOGAN/ROMEO & GIULIETTA’S HIDEAWAY

ADDRESS: 15 WEST STREET

ZONE: RESIDENTIAL MIXED USE

APPLICATION: SIGN

Kimberly and Craig Nicholson explained to the Board that the sign would be hung from a new post rather than the one currently in front of the property and the new sign would be the same size as the existing sign.

MOTION: Patricia Dow made a motion to approve the sign and sign post as presented for 15 West Street, with a change in the post to come before the planning board in the future.

2nd MOTION: Chuck Luke

Robert Mastrantoni	Patricia Dow	Dean Howland	Chuck Luke	Dan Wolfield
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

TAX MAP NO.251.14-2-3

APPLICANT: KENNY & DITTRICH AMHERST, LLC

ADDRESS: COURTYARD MARRIOTT HOTEL/365 CANADA STREET

ZONE: COMMERCIAL MIXED USE

APPLICATION: MODIFICATION TO SITE PLAN

Jonathan Lapper, attorney for the Applicant and Dave Kenny, Applicant, explained to the board that because Mr. Kenny was able to purchase Parrott Street from the Village it allows the Applicant to add more parking which alleviates a parking issue for the future restaurant and retail customers of the future hotel. He explained that the increase is only 3 to 4 feet including a wall which will block the front of the cars. Mr. Lapper then showed the board a rendering of the proposed parking garage prepared by The LA Group and Tom Nace, Engineer and Mr. Kenny explained what it will look like and how the traffic will circulate in and out of the hotel and the parking garage and explained that it is designed to be able to accommodate large buses and EMS vehicles. Chuck Luke asked about the parapet wall and how high it will be, applicant explained that the cars will be behind the wall and that it will be approximately 4’ high. Dan Wolfield asked about the location of the entrance to the parking garage, Mr. Lapper explained where it would be located. Robert Mastrantoni asked about the grade of the entrance. Dean Howland asked about the landscaping and if it would be the same. Chuck Luke asked about the storm water management plan, Applicant explained it would be the same self-contained system. Chuck Luke asked about the lighting and Applicant explained that it would be the same. Patricia Dow asked about the number of parking spaces and the increase in spaces and asked about the handicapped spaces, Applicant stated that the handicapped parking will remain the same, Patricia Dow then asked about green space and stated that there seemed to be greenspace taken out. Applicant explained that they actually added green space and that there would be ivy planted on the 2nd floor along the parapet wall.

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Patricia Dow asked to see the greenspace ratio and Applicant said it will be sent to the planning office. Patricia Dow then asked about the color of the concrete structure and Applicant explained that the color could not be changed.

MOTION: Patricia Dow made a motion to approve the parking garage as presented for the Marriott Hotel project at 365 Canada Street with the information to be supplied about green space, the lighting will be the same as previously approved. The 2nd floor wall facing Ottawa Street will have ivy planted to soften it and the brown bricks will match the previously approved color and the storm water drainage will be contained on site as previously approved.

2ND MOTION: Chuck Luke

Robert Mastrantoni	Patricia Dow	Dean Howland	Chuck Luke	Dan Wolfied
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

TAX MAP: 251.14-4-26.1

APPLICANT: LINDA GIBSON

ADDRESS: 90 MONTCALM STREET

ZONE: RESIDENTIAL MIXED USE

APPLICATION – SPECIAL USE APPLICATION

Robert Mastrantoni addressed the Applicant to state that the Planning Board would be excluding the easement between the Applicant and Joanne Stafford-Paige and would only be looking at the property line because the easement was not part of the application and the easement dispute shouldn't involve the Planning Board and they would only be looking at whether there is adequate parking within the property line. Dean Howland asked the Applicant about the curb cut the Village of Lake George is putting in on the property. Applicant said she was not using the driveway for b and b customers only for family use, her car and her business vehicle, which is a truck. Robert Mastrantoni asked about the steps located in the back of the house and stated there didn't seem to be enough space for parking and there is concern about the stacking of cars in the front driveway in that the garage door has to be left open and there could be issues resulting from that. Robert Mastrantoni stated that parking on the village streets is not considered parking for a business and should not be used as such. Michael Stafford then asked to address the board and said that the special use application was not complete because of the survey, done by Devin Dickinson did not include the back stairs and their proximity to the, Michael Stafford explained that the steps extend out 3' and since it was left out of the application it should not be deemed complete. Dean Howland then asked where the steps were located on the back porch and Michael Stafford showed pictures of the steps to the board. Dan Wolfied asked about trees which have been removed and Applicant explained where the 2nd car would be able to park in the back in relation to the steps. Applicant stated she has 9' to park and that there was plenty of room for the business vehicle. Applicant stated that she applied for the special use permit in April and also that she would be willing to eliminate the back parking and only have 4 spaces after the curb cut is finished. She stated she has lost a lot of potential income since April and would like to be able to be open before the end of the season. The Board stated that the parking was not adequate in the back and that there needed to be two clear exits and entrances for safety purposes and emergency vehicles. Chuck Luke then asked the Applicant about the parking on the side of the house and if green space is an issue that the Applicant could go before the Zoning Board and get a variance for greenspace. Applicant explained she wanted to keep the parking the way it was and that it was a non-issue before she put the extra space in. Dan Wolfied stated that he was comfortable with 4 spaces and 3 guest rooms. Applicant

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agreed that she was comfortable with 4 spaces. Patricia Dow agreed with Dan Wolfied with the 4 parking spaces and 3 guest rooms. Patricia Dow stated that it would be very congested with the cars having to jockey in and out for spaces and that if there was an emergency cars needed to be able to get out. She also stated that the residence was not equipped to handle more than 3 guest rooms with relation to the parking and that hours of operation would need to be clarified and the greenspace ratio was also a matter to be addressed. Chuck Luke stated he had no issue with a bed and breakfast but that the parking is an issue and that 3 guest rooms with parking would be all that the property could accommodate and it would be more conducive with the neighborhood. Doug Frost then asked about whether the curb cut would be used for parking cars and questioned whether or not it would be reducing greenspace.

Michael Stafford then stated that there needed to be a motion made that the application is complete and if the application is deemed complete that there has to be a public hearing and that it should be recorded. Doug Frost clarified that the public hearing was opened in April and has continued and that the Village has never made motions to deem an application complete, there have never been separate motions and stated that once the Board moves forward on an application that the application is complete and that's the way the village has always handled it and that the public hearing is still open and then explained to the Board that they could close the public hearing and make a motion to deem the application complete. Doug then stated that the Board would go through the permit and answer each question and make the statement as to the findings.

Maureen Stafford Letta asked to address the Board. She stated she is the sister of Joanne Stafford-Paige, the Applicant's neighbor and that she has noticed trash and junk and that the house looks terrible and that Ms. Stafford Paige's husband has to take care of the sidewalks and the snow removal and that board members should walk into the back and see how the Applicant has changed the property. She stated she is not happy with the curb cut.

Michael Stafford then informed the Board that the Applicant was renting the rooms to foreign students and that she received a letter from the Mayor regarding the housing of the students, Doug Frost stated that she has been renting to students and that although the Mayor said it was ok this year because there was no place for them to stay, next year she would have to get a boarding house application to house students. Doug Frost stated Applicant purchased the property as a residential property then brought in boarders after she had applied for the special use permit but before it was approved and that she never bothered to notify the zoning department or even check to see if it was allowed. Applicant then stated that she thought students were exempt according to the advocate for the students.

MOTION: Dean Howland made a Motion to close the public hearing for the special use permit

2ND MOTION: Chuck Luke

Robert Mastrantoni	Patricia Dow	Dean Howland	Chuck Luke	Dan Wolfied
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

Patricia Dow then stated she was not in favor of approving the special use permit.

The Board then addressed the criteria for the special use permit as follows:

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1. **Is the project compatible with the principles of the zoning district and the comprehensive plan?** Yes, the zoning is compatible with the proposed use;
2. **Is the project compatible with the surrounding properties and natural and built environment?** Yes-the neighborhood is a mix of light commercial and residential uses;
3. **Does the project provide adequate parking, vehicular circulation and infrastructure for the proposed use, and accessibility for fire, police and emergency vehicles?** No, it doesn't provide for adequate parking;
4. **Does the proposed use have no greater overall impact on the site and its surroundings than would full development of uses of the property permitted by right, considering environmental, social and economic release of harmful substances, solid waste disposal, glare, or any other nuisances?** No impact;
5. **Is the location of the proposed use consistent with the goal of creating a healthy mix of uses that enhance the commercial viability of the Village of Lake George?** Yes, it's within the uses in the zone it's in; and
6. **Is the project compatible with the historic character and use of the structure or structures and the historic character on site and in the surrounding area?** Yes, as long as the hours of operation are compatible

MOTION TO APPROVE SPECIAL USE PERMIT: Chuck Luke made a motion to approve the Special Use Permit at 90 Montcalm Street to be used as a bed and breakfast after going through the criteria for a special use permit and concluding a positive finding for all with the exception of parking; prior to approval of site plan review the parking issues and the hours of operation need to be addressed.

2nd MOTION: Dan Wolfield

Robert Mastrantoni	Patricia Dow	Dean Howland	Chuck Luke	Dan Wolfield
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

MOTION TO APPROVE SITE PLAN REVIEW: Patricia Dow made a motion to approve the Site Plan Review at 90 Montcalm street with the green space as indicated on the survey and 1 parking spot in the back of the property for the owner's vehicles with the existing lighting and 3 guest parking spaces all contained on the property and 3 guest rooms, with the hours between 12am-6am being closed to checking in and out.

2ND MOTION: Dan Wolfield

Robert Mastrantoni	Patricia Dow	Dean Howland	Chuck Luke	Dan Wolfield
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

MOTION: Patricia Dow made a motion to approve the July 15, 2015 minutes as presented.

2ND MOTION: Robert Mastrantoni

Robert Mastrantoni	Patricia Dow	Dean Howland	Chuck Luke	Dan Wolfield
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Aye	Aye	Aye	Aye	Aye
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Aye = 5 Nay = 0 Motion carried

MOTION: Patricia Dow made a motion to adjourn

2nd MOTION: Robert Mastrantoni

Respectfully submitted,

Katharine Erceg

August 20, 2015