

**LAKE GEORGE VILLAGE
ZONING BOARD OF APPEALS
AUGUST 7, 2024
MEETING MINUTES**

BOARD MEMBERS PRESENT: Ron Mogren, Mike Ravalli, Jeff Blau, Robert Lebar, and Kieran Murray (Alternate).

BOARD MEMBERS ABSENT: Tom Sullivan.

OTHERS PRESENT: Debonnay Meyers (Planning & Zoning Clerk), Dan Barusch (Director of Planning and Zoning), Marinko Trajkoski, Rob Langley, Joe Mondella, and Heath Mundell.

Ron Mogren opened the meeting at 4:59 pm.

TAX MAP:	251.18-3-57
OWNER/APPLICANT:	THE LAGOON – JOE MONDELLA
ADDRESS:	204 CANADA STREET
ZONE:	COMMERCIAL RESORT
VARIANCE APPLICATION:	AV#8-2024

The applicant is proposing a total of one (1) area variance for their proposed new sign. The variance is for relief of the provisions of Chapter 220-24 that require all signs to comply with the location regulation, either on a building wall, or a freestanding sign. This proposed wall sign would be placed on the fence if approval is obtained.

- Relief of §220-24 (B) – Signs are specifically not identified to be allowed on structures such as fences, and only identified as allowed/permissible on buildings/walls and freestanding signposts/structures. Since the code is restrictive and not permissive, and it is not identified in the code that they are allowed on fences, the code does not allow it.

Ron Mogren started the Public Hearing at 4:59 pm.

Ron Mogren asked who would be representing The Lagoon. Joe Mondella identified himself as the owner of the Lagoon. Ron Mogren asked Joe Mondella to conduct his opening statement regarding the request. The Board reviewed the application while Joe Mondella conducted his opening statement.

Joe Mondella expressed that he was hoping to obtain a variance to allow relief of §220-24 (B) for him to place a wall sign on their fence. Joe Mondella expressed his gratitude to the Planning Board and the Zoning Board for approving their prior request. He explained that approving their remodeling project helped their business succeed, but he explained that the area had an ongoing issue with location. He explained that their customers expressed difficulty in finding their restaurant. He said that having a sign on the fence would help alleviate that issue because it would let the customers know that the outdoor area was part of The Lagoon. Joe Mondella indicated that this idea had been circling around for quite some time, and they finally decided to roll with it, hence why they're here tonight.

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Joe Mondella did go over the alternatives as he knew the Zoning Board would go over them. Joe Mondella indicated that he could put up a free-standing sign by the outdoor café, and he could also put up a wall sign on the Village Mall; but those alternatives wouldn't help him as much as having the sign on the fence. The Zoning Board asked for clarification as to why those wouldn't be feasible. Joe Mondella explained that putting a sign on the Village Mall building would not only add another sign to a sign-covered building, but also wouldn't let the customers know where exactly The Lagoon is. As for the free-standing sign, he said having that would be more of a safety issue as customers could wobble the sign and/or could ram into it.

Ron Mogren expressed his interest in the sign by commenting on the simple design and layout. However, he did want to ask one question about the existing fence. He questioned the fence as it appeared to be near Leonelli's line. Joe Mondella responded back indicating that the fence was approximately four feet off the line. Ron Mogren acknowledged the response and told the Board that he had no other questions. Ron Mogren opened the floor for comment amongst the Board members but wanted to add he felt it wasn't a detriment to the neighborhood. Mike Ravalli said had no problem with the location and the sign itself. Robert Lebar wanted to discuss the possibility of having the sign be free-standing inside the café. Joe Mondella acknowledged Robert Lebar's suggestion and stated that it could; but from a safety standpoint, they would prefer the sign to be on the fence.

The Board was silent for a minute to review the application again. Mike Ravalli suggested allowing them to test drive it for the season. He explained if complaints come in, they could include a condition for mandatory post installation. Jeff Blau wanted to chime in and indicate that he had no issues with the design of the sign and its location. He said it was smart to put it on the fence as it would limit tripping incidents. Kieran Murray indicated that he was siding with Joe Mondella. He indicated that if this was what the applicant felt was the best way to advertise their space, then let them have it.

Dan Barusch wanted to discuss the number of permanent signs the Lagoon had currently. Joe Mondella said he had one inside the Village Mall and one outside of Village Mall, near the Canada Street entrance. Dan Barusch indicated that the Canada Street entrance didn't count and then asked if the hanging sign was still present. Joe Mondella said it was removed. Dan Barusch wanted to state for the record that the fence sign would be their official second sign; so, if they would like any additional signs, they would have to appear before the Zoning Board for a variance. Jeff Blau wanted to ask if the sign would be made of wood before the topic changed to which Joe Mondella said yes. Ron Mogren wanted to make a comment on the existing concrete slab indicating that it should be updated at some point to freshen the look.

Ron Mogren opened the floor for public comment.

Heath Mundell introduced himself as a member of the public and as the sign's creator. Heath Mundell explained that the design would fit the aesthetic of the business, and the size of the sign would fit nicely on the fence. Ron Mogren questioned Heath Mundell as to what would hold the

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sign. Heath Mundell indicated that there would be a brace installed to hold it and he assured the Board that the fence would not be holding any of its weight.

Ron Mogren closed the Public Hearing at 5:03 pm.

MOTION 2ND: Jeff Blau

Ron Mogren	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

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

Ron Mogren made a motion to approve the application to benefit to the applicant as weighed against the detriment to the health, safety, and welfare of the neighborhood is greater because:

1. There is no undesirable change produced in the character of the neighborhood. It's actually an improvement.
2. The benefit sought by the applicant cannot be achieved by some other method. We've discussed some alternate mounting techniques but the one on the fence is the cleanest and the best for pedestrian traffic in the area.
3. The requested area variance is not substantial. Almost looks just like a building face.
4. The proposed variance will not have an adverse impact on the physical or environmental conditions in the neighborhood because it's just a sign.
5. The alleged difficulty was not self-created.

MOTION 2ND: Mike Ravalli

Ron Mogren	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

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

TAX MAP:	251.14-2-1
OWNER/APPLICANT:	KICKING COUNTRY
ADDRESS:	325 CANADA STREET
ZONE:	COMMERCIAL MIXED USE
VARIANCE APPLICATION:	AV#9-2024

The applicant is proposing a total of one (1) area variance for their proposed new sign. The variance is for relief of the provisions of Chapter 220-24 that require all wall signs to comply with the 25 square feet rule. His proposed wall sign measures 36 square feet in total.

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- Relief of §220-24 (B)(5):
 - (B)(5) Wall signs: Total wall signage shall not exceed 1.5 square feet per linear foot of building frontage, 10% of the total area of the building facade, or 25 square feet, whichever is less.

Ron Mogren asked who would be representing Kicking Country. Rob Langley identified himself and Marinko Trajkoski as the owners of Kicking Country. Ron Mogren asked if Kicking Country would be a restaurant to which Rob Langley compared his new business to have similarities to Texas Roadhouse. Ron Mogren asked Rob Langley to conduct his opening statement regarding the request. The Board reviewed the application while Rob Langley conducted his opening statement.

Ron Mogren started the Public Hearing at 5:11 pm.

Rob Langley expressed that he was hoping to obtain a variance to allow relief of §220-24 (B)(5) for him to have his sign. Rob Langley took the time to inform the Board of the history of that space. He explained that Crabby Joe's was there before Lakehouse Bistro, and they had a 40 square foot sign attached to the building. He indicated that he understood why Peter Quagliaroli went for that specific size. He discovered that the sign did improve the exterior appearance of the space by making the storefront look more complete. He expressed that he did question why Lakehouse Bistro didn't follow what Peter Quagliaroli did; however, Rob Langley answered his own question by saying that the sign size was ultimately up to the owner. Rob Langley informed the Board that he had reviewed several different sign sizes. He found out that 40 square feet was too big and 25 square feet was too small; so, he decided to knock it down to 36 square feet and decided that was the perfect size. Rob Langley concluded his opening statement stating that his goal was to have everything match and not look lopsided, and he was hoping the Zoning Board would help him achieve that.

Ron Mogren indicated that he felt the sign was nicely designed but did question the size. He asked Dan Barusch for clarification about Crabby Joe's. Dan Barusch verified that Peter Quagliaroli did obtain size approval from the Zoning Board but there were some disagreements between the applicant and the Planning Board. Dan Barusch explained that those disagreements lead the applicant to not have his proposed sign on his exterior wall for various reasons. The Board told Dan Barusch that they did remember what occurred and his explaining triggered a memory of what happened. Ron Mogren asked the Board for their thoughts. After discussing their thoughts amongst another, the Board came to the consensus that the sign was beautifully designed as there were no qualms; but there were still some items that needed to be addressed before moving forward.

The Board showed that there was a division; half of the members were for it, and some were still hesitant to move forward. Ron Mogren asked the members why they were hesitant to approve the application. Those members expressed concerns about the possibility of the sign being denied by the Planning Board. Kieran Murray suggested having a condition included in the motion that could specify the location of the sign, regardless of its' size. He explained that the hesitation was

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more of if the size didn't get approved, if they get a smaller size, it could be lob sided. The Board was swayed by Kieran Murray's explanation to possibly add a condition. Ron Mogren expressed that adding a condition wouldn't benefit them as what they're proposing was irrelevant. Kieran Murray then questioned Robert Langley about the façade change. Rob Langley said the new pine boards would cover the top portion of the whole building, including DILLIGAF's side. The Board asked if the boards would be painted or stained. Rob Langley replied it would be stained.

Dan Barusch indicated that the façade change would be monitored by the Planning Board. Kieran Murray brought up the possibility of Bill Massry not updating the exterior façade and questioned the location of the huge sign. Ron Mogren acknowledged Kieran Murray's concerns and repeated his opinion of not adding a condition to the motion. Dan Barusch wanted to inform the Board that Mayor Ray Perry and Bill Massry had several conversations regarding the exterior façade of DILLIGAF, so he felt the Zoning Board shouldn't be so concerned about it. Ron Mogren and Dan Barusch turned the conversation back to discuss about the size as that was what the variance was for. Ron Mogren asked the Board for their final comments regarding the variance to which there were none.

Ron Mogren closed the Public Hearing at 5:26 pm.

MOTION 2ND: Robert Lebar

Ron Mogren	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

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

Ron Mogren made a motion to approve the application to benefit the applicant as weighed against the detriment to the health, safety, and welfare of the neighborhood or community is greater because:

1. There is no undesirable change produced in the character of the neighborhood. It'll be a nice-looking sign.
2. The benefit sought by the applicant cannot be achieved by some other method feasible. We've explored alternatives and decided this was the best way. There was approval for a 40 square foot sign in the same location.
3. The requested area variance is not substantial, it's just a little bit bigger.
4. The proposed variance will not have an adverse impact on the physical or environmental conditions in the neighborhood because it's just a sign.
5. The alleged difficulty was not self-created.

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MOTION 2ND: Jeff Blau

Ron Mogren	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

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

MINUTES:

JUNE 5, 2024 (RM, TS, MR, JB, RL)

Ron Mogren asked the Board their thoughts regarding the June 5th, 2024, meeting minutes. The Board were in mutual agreement to approve the minutes as presented.

Ron Mogren made a motion to approve the June 5th, 2024, meeting minutes.

MOTION 2ND: Mike Ravalli

Ron Mogren	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Recused

Ayes = 4 Nays = 0 Recused = 1 Absent = 1 Motion carried.

JULY 3, 2024 (RM, TS, MR, RL, KM)

Ron Mogren asked the Board their thoughts regarding the July 3rd, 2024, meeting minutes. The Board were in mutual agreement to approve the minutes as presented.

Ron Mogren made a motion to approve the July 3rd, 2024, meeting minutes.

MOTION 2ND: Mike Ravalli

Ron Mogren	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Recused	Aye

Ayes = 4 Nays = 0 Recused = 1 Absent = 1 Motion carried.

Ron Mogren made a motion to adjourn the meeting at 5:29 pm.

MOTION 2ND: Jeff Blau

Ron Mogren	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

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

Respectfully submitted,

Debonnay Meyers

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