LAKE GEORGE VILLAGE PLANNING BOARD MEETING
JANUARY 28, 2026 – 5:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY
MEETING MINUTES - DRAFT

Board members present: Carol Sullivan (Chairperson), Kevin Merry, Walt Adams, Dean Howland, and Ryan Clark (Alternate).

Board members absent: Patricia Dow.

Others present: Debonnay Meyers (Planning & Zoning Clerk), Dan Barusch (Director of Planning and Zoning), Matthew Webster, George Yasenchak, P.E, and James Atherton.

Carol Sullivan called the meeting to order at 5:00 pm.

PUBLIC HEARINGS:

APPLICATION: SUB#2-2025
APPLICANT: RAFI & ELLEN GVILI
AGENT: MATTHEW WEBSTER – VANDUSEN & STEVES LAND SURVEYORS
TAX MAP: 251.14-3-7
ADDRESS: 277 & 279 CANADA STREET
ZONE: COMMERCIAL MIXED USE
SEQR: UNLISTED

"Applicants are seeking approval for a minor subdivision to divide one 70-foot lot with two buildings into two 35-foot lots with one building each. There will be no new development on either parcel. Lot#1 will have a one-story concrete block building while the lot#2 all have a two-story wood frame building. The applicant appeared before the Zoning Board on January 7, 2026, to request a variance on lot width, and the Zoning Board referred the application to Planning Board for their initial review."

Carol Sullivan indicated the first item on the agenda was SUB#2-2025, and that this application required a public hearing. Carol Sullivan stated she planned to open the hearing; but first, she asked Dan Barusch to tell the Board why this application had to appear before them. Dan Barusch explained that during a prior Zoning Board meeting, a prior application raised curiosity on how the word "referrals" was defined in the Village Code. Per §220-85 (E) (2), the statute states, "The Zoning Board of Appeals shall refer all completed use and area variance applications to the Planning Board for its review and recommendation.". Dan Barusch indicated that in his tenure here at the Village of Lake George, he never knew nor enforced this requirement.

He explained that he understood the request for use variances as a use variance would grant a previously non-permitted use into a zone; but the Planning Board referral for area variances wasn't necessary. Dan Barusch used the setback requirement as an example, so he could provide an explanation as to why the Planning Board referral was redundant. Dan Barusch then explained that projects obtaining a variance were going to appear before the Planning Board anyways for their own review, so they would be able to see what the Zoning Board saw.
Dan Barusch wanted to state that the "ping pong" between both Boards was something he was trying to stop as he felt it was inefficient, a waste of money, and a waste of time for the Boards and the applicants.

However, because the law was in place, he must refer all variance applications to the Planning Board until the law is changed. Carol Sullivan stated she agreed with removing the referral, and that she remembered this law when she was in office. Dan Barusch stated he spoke with the Village of Lake George's municipal attorney about it, and according to him, they must follow the law until it's changed.

Carol Sullivan wanted to provide a breakdown of what Dan Barusch said, so the Board understood their position. She explained that a determination would not be made tonight to approve the project, but they would have the opportunity to provide feedback and refer it back to the Zoning Board. She stated that they had to review the request based on substantiality. Dan Barusch chimed in to state that the Board should primarily focus on the area variance and deliberate amongst themselves to see if there were any concerns relating to the relief. He concluded his statement by saying that any feedback mentioned tonight would be brought to the Zoning Board at their next meeting.

Dean Howland indicated that the Town of Queensbury referred applications all the time. Carol Sullivan said the Village of Lake George used to do it when she was in office. Dan Barusch said other municipalities didn't have the "all area variance referrals" in their code, and that was based on his recent research through several municipal codes in the area. Walt Adams asked for clarification on reviewing use variances, and Carol Sullivan stated the review was towards financial aspects. Dan Barusch informed the Board that until the Village Board votes to change the law, the Boards will be playing "ping pong" with applications for a while.

Carol Sullivan opened the public hearing at 5:06 pm.

2nd MOTION: Kevin Merry

Carol Sullivan	Walt Adams	Kevin Merry	Dean Howland	Ryan Clark
Aye	Aye	Aye	Aye	Aye

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

Carol Sullivan indicated the public hearing would remain open until it was time for them to conduct their full review and had agreed on a determination at a future meeting. Carol Sullivan then asked the Board if they had any substantial comments about the application. Dean Howland inquired if the comments had to be for both addresses, and Carol Sullivan replied with yes. Carol Sullivan then explained that there were two addresses on one parcel, and their plan was to subdivide it to separate the two addresses. Dean Howland said it sounded like a lot line adjustment to him, and he had no issues with it. Kevin Merry asked Carol Sullivan if they were allowed to question the purpose of it, and Carol Sullivan said they could. She then told the Board that Dan Barusch already questioned it, and the owners told him that they weren't sure what they wanted to do.

Carol Sullivan asked who was here for the subdivision, and Matthew Webster said he was. Carol Sullivan motioned Matthew Webster to introduce himself for the record. Matthew Webster said he was from Vandusen & Steves Land Surveyors, and that he was here for Rafi and Ellen Gvili. He then told the Board that the owners didn't have any plans for the buildings yet; but they were hoping to get the subdivision as having one building on each lot would help keep their options open.
Carol Sullivan asked the Board if they had any other questions, and she was met with silence. Dan Barusch indicated that the only variance for this project was lot width. He explained that the lot was currently conforming as it measured 70 feet in total. However, if the subdivision obtained approval from

both Boards, each lot would measure approximately 35 feet in total. Dan Barusch advised the Board that the Planning Board didn't need to discuss the five criteria for approval, but they need to comment and supply feedback to the Zoning Board based on their purview on the variance. Carol Sullivan reminded the Board that the buildings on Canada Street were so tight, so she had no problems with allowing it.

Carol Sullivan made a motion to move application SUB#2-2025, tax map number 251.14-3-7, 277 and 279 Canada Street, to refer this back to the Zoning Board because the Planning Board does not have any issues with the 35-foot lot width for both or separating it into two parcels.

2nd MOTION: Kevin Merry

Carol Sullivan	Walt Adams	Kevin Merry	Dean Howland	Ryan Clark
Aye	Aye	Aye	Aye	Aye

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

Carol Sullivan made a motion to table the public hearing until such time that this comes back to us for review.

Dan Barusch quickly asked the Board if they needed anything additional from Matthew Webster before completing the motion. He advised that when Matthew Webster comes back for their future meeting, they would have to go through SEQR, close the hearing, and finish the process of the subdivision. The Board said they needed nothing else from Matthew Webster or the applicant, and that everything submitted was what they needed to continue review.

2nd MOTION: Kevin Merry

Carol Sullivan	Walt Adams	Kevin Merry	Dean Howland	Ryan Clark
Aye	Aye	Aye	Aye	Aye

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

Dan Barusch told Matthew Webster that the Zoning Board requested lot coverage calculations for their next meeting, and Matthew Webster said he would do that.

NEW BUSINESS:

APPLICATION: SPR#14-2025
APPLICANT: HEJ INTERNATIONAL
AGENT: GEORGE YASENCHAK, P.E – ENGINEERING AMERICA CO.
TAX MAP: 251.10-3-37
ADDRESS: 3 NORMAN STREET
ZONE: RESIDENTIAL
SEQR: TYPE II

"Applicants are seeking approval to add a second single family residence onto the parcel, near where a garage apartment once stood that burnt down. The second residence will be where the old shed and old garage foundation are on the property. The second residence will measure 660 square feet in total and will include a new porch that will measure 4' by 8' and a bump out measuring 4' by 8'. There will be a paved

driveway created, enough to fill two cars. There will be no changes to the existing use, and the project is assumed to cost the applicant $150,000. Estimated construction schedule will be to start in Spring 2026."

Carol Sullivan indicated the next item on the agenda was SPR#14-2025. She asked if the plan was to build a second residence on the parcel. She checked to see who was present and saw George Yasenchak and James Atherton. George Yasenchak introduced himself as the Professional Engineer (PE) for the project and James Atherton introduced himself as the painter. Carol Sullivan motioned George Yasenchak and James Atherton to conduct his opening statement.

James Atherton conducted his opening statement by saying he bought the home for his mom, and that he was informed he could build on the parcel. He stated that he needed George Yasenchak's help as the purpose of the second residence was to help offset the mortgage. Carol Sullivan asked if he planned to use the residence for short-term rentals, and James Atherton said no. Carol Sullivan told him that short-term rentals were not permitted in his zone, and he understood that. Carol Sullivan said he had the right to offer long-term rentals, and James Atherton said he was planning to rent it to family members, close employees, or close friends.

Carol Sullivan asked the Board if they had any questions, and Dean Howland said he had one. He immediately asked if they could build this house with it being less than 900 square feet. He said he remembered a 900 square foot rule and wasn't sure if it was in effect. Carol Sullivan said that would be dependent on what was in Village Code and asked Dan Barusch for clarification. Dan Barusch said there was a rule in local zoning, and it allowed 600-square feet. Dan Barusch asked the Board if they had building plans, and the Board said they didn't. George Yasenchak said he brought them with him and distributed them to the Board. The Board took time to review the building plans while George Yasenchak was giving the Board a summary of the project.

Carol Sullivan asked James Atherton if he lived in the main house currently. James Atherton said he didn't reside there, but his mother did. Dean Howland asked about colors and James Atherton said he was thinking about cedar or pine. Dean Howland recommended him to get pricing first before deciding. The Board inquired about the history behind the parcel. George Yasenchak indicated there was a fire and it burned down the existing building. Years later, James Atherton decided to build, but will be moving the new dwelling further from the property line. George Yasenchak stated moving it from the property line was a recommendation from Dan Barusch as it would provide space from the neighbor's house but also dodge the Zoning Board by meeting setback requirements.

Carol Sullivan asked the Board if they needed other information from the applicant. The Board indicated they wanted to know the colors for the exterior. James Atherton said he was going to go with a wood theme, like a log cabin; so, it matched his other building on the property. Dan Barusch interjected the conversation to remind the Board that they could not enforce the color requirement. The Board asked why, and Dan Barusch indicated that the design guidelines were for commercial properties only. Therefore, they had no authority to control the colors for residential houses. Dan Barusch then stated that they should not add "pine" or "cedar" to the motion as James Atherton may not want to do that.
Dan Barusch asked the Board if they had any other questions pertaining to the application. He advised that stormwater management, erosion sentiment control, and water and sewer connections were all enclosed in the plans. Dean Howland asked if there were existing water and sewer lines on the parcel, and George Yasenchak said yes. George Yasenchak said there were no plans to connect the second dwelling

to the existing lines from the primary residence. He quickly added that he would work with the Village of Lake George regarding all water and sewer lines.

Dan Barusch told the Board that there was a garage that burnt down years ago, and that garage was converted into an apartment. He indicated that the conversion was in the assessment records, and that he was under the assumption that there had to be existing water and sewer taps near that area. Dan Barusch did mention that he wasn't sure if the taps were capped or not during the demolition, so George Yasenchak would need to chat with both Village water and sewer departments. James Atherton said when the fire happened, it scorched the side of his neighbor's garage pretty bad. He indicated that his neighbor asked him if they could move the second dwelling over, just in case a fire occurred again. Dan Barusch said sliding it over was the best move because not only did it meet zoning requirements, but it gave him more space away from his neighbor's property.

Dean Howland said he liked the idea because it provided more "mom and pop" rentals. James Atherton said he spent a lot of money purchasing the property, so he really wanted the second residence to house close companions. He stated having someone there could not only help his mom but also offset expenses. Carol Sullivan asked the Board if they were ready to make a motion for approval, and the Board said yes. Dan Barusch asked the Board if they had any conditions, and the Board said no.

Dean Howland made a motion to approve the application created by HEJ International for the property on 3 Norman Street in Lake George, tax map 251.10-3-37, to build a 660 square foot small house, whole basement, on the property. The location shown on the survey map along with landscaping and stuff.

2nd MOTION: Walt Adams

Carol Sullivan	Walt Adams	Kevin Merry	Dean Howland	Ryan Clark
Aye	Aye	Aye	Aye	Aye

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

Dan Barusch told George Yasenchak that when it was time for permitting, George Yasenchak would need to stop by his office with three sets of plans. He indicated that they should really connect with the water and sewer departments regarding taps.

MINUTES:

November 19, 2025 (CS, PD, WA, KM, DH)

Carol Sullivan asked the Board if they had any comments about the November 19th meeting minutes, and they all responded with no.

Carol Sullivan made a motion to approve the November 19th, 2025, meeting minutes as presented.

2nd MOTION: Kevin Merry

Carol Sullivan	Walt Adams	Kevin Merry	Dean Howland	Ryan Clark
Aye	Aye	Aye	Aye	Abstain

Aye = 4 Nays = 0 Absent = 1 Abstain = 1

Motion to adjourn by Carol Sullivan at 5:22 pm., seconded by Walt Adams, and unanimously carried.

Respectfully submitted,
Debonnay Meyers
Debonnay Meyers