



TOWN OF NORTH ELBA

REGULAR BOARD MEETING

TUESDAY, JUNE 11, 2013

6:45 PM Joint Public Hearing
7:00 PM Regular Board Meeting

1. Call Meeting to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Approve Minutes April 2, 2013 Board Meeting.
5. Persons Present Opportunity to Speak -Jim Murnane /SL
-Brad Hathaway
6. Old Business:
 - a. Rail Trail
 - b. Lake Placid Hospital
7. New Business:
 - a. Workplace Violence Manual
 - b. Approve Inter municipal Agreement
 - c. Approve Land Use Amendments
 - d. Approval Low Bid AC Units- Craig Wood
 - e. Resolution GML #53
 - f. Highway Scrapping Vehicles (Surplus Declaration)
 - g. Approve Summer Employees – Youth Commission and Beach
 - h. Sewer Issue – Cummings Road
 - i. LP Half Marathon (9/7/13)
 - j. Budget Adjustments
8. Committee Reports:
9. Town Attorney Reports
10. Essex County Update
11. Approve Audits as per Audit #'s
12. Executive Session
13. Adjournment

Full Text of Land Use Code Amendments Subject to 6-11-13 Public Hearing

- Section 1. Section 2.4(D) of said local law, relating to Town Residential Districts, is amended in pertinent part to read: "Minimum Front Setback": The average front yard of principal structures on both sides of the street wholly or partially within 500 feet, with a 35-foot minimum if the averaging method cannot practicably be used."
- Section 2. Section 2.5(D) of said local law, relating to Village Residential Districts, is amended in pertinent part to read: "Minimum Front Setback: The average front yard of principal structures on both sides of the street wholly or partially within 250 feet, with a 20-foot minimum if the averaging method cannot practicably be used."
- Section 3. Section 2.7(D) of said local law, relating to Gateway Corridor Districts, is amended in pertinent part to read: "Maximum Residential Density: 10 units/acre".
- Section 3. Clause (5) of Section 3.6.4 (C) is hereby deleted, and the existing clause (6) of said section is re-numbered to be (5).
- Section 5. Section 4.2.2(B)(1) of said local law, relating to non-conformities, is amended to read as follows: "A non-conforming building shall not be added to enlarged or expanded, in any way that (a) if the building is non-conforming due to height, will increase the maximum height of the building, or (b) if the building is non-conforming due to setback, will reduce the distance between the closest part of the building and the lot boundary line in respect to which the building's setback is non-conforming."
- Section 6. Section 6.3.4 (B)(4)(d) of said local law, relating to real estate signs, is amended to read "Shall not exceed four square feet in area and six feet in height; the design of the frame and support shall be subject to the approval of the Code Enforcement Officer."
- Section 7. Section 6.4.4(D) of said local law, relating to illumination of signs, is amended to add a new last sentence to read: "Any neon or internally-illuminated sign shall be turned off during non-business hours".
- Section 8. A new Section 6.5.11 is added to said local law, entitled "Day Care Signs", to read as follows: "A day care use may have a single sign, not to exceed 12 square feet. Such signs may be wall signs, freestanding or projecting in design."
- Section 9. A new Section 6.5.12 is added to said local law, entitled "Religious Signs", to read as follows: "Signs associated with a place of worship shall not exceed 12 square feet. Such signs may be wall signs, freestanding or projecting in design."
- Section 10. Section 8.2.5(A)(3) of said local law, relating to review process, is amended to read: "The Review Board may within its discretion schedule and hold a public hearing on any complete application for a Conditional Use within 45 days from the date of acceptance of the complete application by the Review Board, or at an earlier stage at the discretion of the Review Board."

- Section 11. Section 9.5.2(A), relating to enforcement, is amended to read as follows: "Any building and/or use which does not comply with this Code or a Board decision shall be investigated by the Enforcement Officer who shall file a report of his investigation with the Village and Town Boards. The Enforcement Officer shall also give written notice of any violation to the owner of the land on which the violation is occurring, as identified by the latest completed Final Assessment Roll of the Town of North Elba, or as otherwise known by the enforcement officer, as well as to any tenant, operator or contractor who is responsible for or involved in the apparent violation. The owner and such other responsible person(s) shall correct such noncompliance immediately or within such period of time as the Enforcement Officer may provide in the Notice of Violation."
- Section 12. Section 10.2 of said local law, "Definitions", is amended in pertinent part as follows: "Lot/Parcel": A single and contiguous parcel of land considered as a unit, occupied or capable of being occupied by one or more buildings or uses, except a parcel occupied or proposed to be occupied by a unit in a townhouse project."
- Section 13. Section 10.2 of said local law, "Definitions" is amended by adding a new definition to read as follows: "Townhouse Project": a group of two or more individually-owned one-family residential units attached by party walls, each of which units is situated on its own fee-simple parcel of land.
- Section 14. The Planning District Maps of said local law are amended by reclassifying the following tax map parcels adjacent to Wesvalley Road, Nash Street, and Hillcrest Avenue from "Village Residential" to "Gateway Corridor":
- 42.DJ-1-7, 42.DJ-4-2,
42.DJ-4,11, 42.DJ-5-5.001,
42.DJ-5-6, 42.DJ-5-7, 42.DJ-5-8, 42.DJ-5-9, 42.DJ-5-10,
42.DK-6-2, 42.DK-6-5,
42.EK-5-1.100, 42.EK-5-1.200, 42.EK-5-2, 42.EK-5-3,
42.EK-5-4, 42.EK-5-5, 42.EK-5-6, 42.EK-5-7 and 42.EK-5-8
- Section 15. This local law shall take effect immediately upon its filing with the Office of the New York State Secretary of State.