

Terry Jacobs, AIA
PARTNER



Mr. Mike Orticelle
Code Enforcement Official
Town of North Elba
2693 Main Street
Lake Placid, NY 12946

via email morticelle@northelba.org

Re: C. Todd Kemp
Application to Review Board
25 Point of View Way
Lake Placid NY

Dear Mike,

Thank you for taking my call today. My father owned the house next door to this property and as he died in May, my sister (Nancy Haneman) and I are trustees of the property and my sister will be the future owner of the Property.

We have the following concerns about this application which we have reviewed from the information on the website which we downloaded.

1. In July, Mr. Kemp started clearing the property without notice and from my understanding without a permit, and what appears to be within the 50'-0" setback. This is not a good start.



View of Whitecloud looking at the cleared lot

2. Non-Conforming Lot

- Since this is a narrow 75'-0" non-conforming lot, it creates a very narrow lot and issues in its closeness to any neighbors in the construction of any house.
- **No Grading Plan**
- The house will essentially be 3 stories above grade, and there is no grading plan shown on the drawings, only a setback step down in the building section as shown here. There is no indication of how the grading will work, or impact to our property. The rendering shows a retaining wall to the right- Does this end at the property line? This is very unclear and has a big impact to the site. What are the grades? What is the extent of wall- all very unclear!
- Boat House- there was never a boat house on this site, only a dock. Is a boat house permitted on a non conforming lot?



Other Issues

- **Noise:** If this becomes a rental property, we have no control of what noise will be generated .What are the Owner's plans?
- **Lighting** (see note below)
- **Screening** (see note below)
- **Setbacks:**We would recommend the house be setback further that the current 50 feet to 100 feet. This would lessen the impact of this non-conforming lot on our house.
- **Lighting** – As you can see from the elevation above which faces our camp, the main elevation of the house faces our property. In a normal lot, the main elevation would be facing the lake. Therefore, light pollution will be an issue for our camp. We have no indication of light cutoffs, exterior lighting etc. on these plans. We would want to see the lighting plan.
- **Screening** – We would request screening of at least 10' high (non-deer eating) evergreens to be approved by us to screen the house.
- **Noise** – How will he handle noise if this is a rental property?
- **Other Structures** – Will the small cabin remain on the properties? Will they be rented?
- **Garage location** – This is located on type of the existing drive where we have a row to our camp. This should be moved back.
- Is this an additional rental property and is this apartment allowed under your current ordinance? Is he planning on renting the garage and house separately? Is there anything that prevents him from doing this?

We have not received a notice about this formally I believe. With the start Mr. Kemp had of clearing the lot without notice, we have real concerns about this project and its impact on our camp.

We understand that we may not be able to speak at this preliminary hearing but would like our letter shared with the Board and the record. I believe the applicant should address our concerns. My Father purchased this house in 1969, and His father purchased Camp Omm Soo Wee in 1923. I hope the applicant can address the concerns stated and the Board can preserve the character of the Lake, which this application does not improve.

Thank you!

A handwritten signature in black ink, appearing to read "Terry Jacobs". The signature is fluid and cursive, with the first name "Terry" and last name "Jacobs" clearly distinguishable.

Terry Jacobs, AIA

Nancy Haneman

Dear Review Board,

I am writing out of concern regarding 25 Point O View Way and the plans of Mr. Todd Kemp. The house will be very close to our property at 24 Point of View Way.

It is such a small piece of property and he will need to lay the house vertically. It will be a mini-hotel sleeping 14 when the garage is built. The neighbors believe that this will be a short-term rental property.



Is this common to allow a house to fit as much as it can as long as the set backs are met?

As a family we are concerned with:

- Grading.
- The house is very high. Appears to be too high to zoning requirements. I believe you can exit and enter from the lowest level.
- Major concerns with light and noise.
- What is the clear plan for planting/screening
- The boathouse should be a dock according to the 125-foot requirement from the APA
- Will there be adequate parking?

The proposed boathouse will be built with only 70-75 feet of waterfront.

We have been told conflicting waterfront footage numbers of 70-75 so would like to see that clarified by a survey, not by MLS.

It is my understanding that 125' is necessary by APA standards.

Keep in mind it's a 30-foot boathouse inside of 70-75 foot water access point.

That leaves 45 feet Total or 20 feet to our house.

The boat house is also going in sideways for whatever reason.

There never was a boathouse there to begin with, just a small dock, and that has not been in the water for a very long time. We have photos over the years to show this if you need them.

Sunset Straight is a very busy place thoroughfare and renters do not abide by the rules of the lake. We have witnessed many near accidents and have had to rescue many boaters in the past 5 years.

Our family has been coming here since 1924. We have had a long-standing positive relationship with the Town of North Elba with relationships going back to the 1920s. My family has worked to serve the community in the ways we know best. My father was on the board of Paul Smiths and the Trudeau Institute and volunteered to steer the hospitals finances for many years, providing guidance for them into his 90s. My brother has designed buildings for local schools. He is an architect who has a deep love for the area and respect for your zoning. My Father passed away at the age of 98 in May and his favorite view was from the house he grew up in. If he only knew that part of that view now would be on a large house and boat house, he would be so upset.

Lake Placid is not Key West and has been built on a long history of preserving nature. We know you have a hard job in balancing building while protecting the reason why people come to Lake Placid, the natural beauty of Forever Wild.

The wilderness and beauty will soon disappear unless protected by boards like you.

Submitted Respectfully via email,

Nancy Haneman
Please see attachments



Terry Tubridy

From: Mike Orticelle
Sent: Wednesday, September 9, 2020 3:56 PM
To: Terry Tubridy
Subject: Fwd: Case #1100 - Kemp Point O'View

Regards,

Michael Orticelle, MPA
Building Inspector/Code Enforcement Official
Town of North Elba/Village of Lake Placid
Office: 518-523-9518
Cell: 518-524-4214

From: Catherine McGraw <cmmponies@gmail.com>
Sent: Wednesday, September 9, 2020 3:46:16 PM
To: W. Scott McGraw <wscottmcgraw@gmail.com>; Mike Orticelle <morticelle@northelba.org>
Subject: Case #1100 - Kemp Point O'View

Dear Mr. Orticelle,

On behalf of my husband, Scott McGraw and myself, please consider this email as our on-the-record objection to Case #1100 - Kemp Point O'View.

We reside at 43 Camp Way and have owned our property here for 14 years. My husband's family has been coming to Lake Placid for 4 generations and I have been coming here for 40 years. We have the deepest respect for this beautiful place and concern for it's proper stewardship.

We strongly object to the plans submitted by C. Todd Kemp for 25 Point O'View Way. The proposed house is described as two stories with a ground floor walk out basement, which amounts to a three story structure - much too large for this piece of property. More importantly, we do not feel that a boathouse should be built on a 70' of shoreline where none has existed previously.

We trust that this email will be presented to the Board of Review.

Respectfully yours,
Cathy McGraw

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Please note my new email: cmmponies@gmail.com

Terry Tubridy

From: Mike Orticelle
Sent: Wednesday, September 9, 2020 3:42 PM
To: Terry Tubridy
Subject: FW: RB Case No. 1100

Regards,

Michael A. Orticelle, MPA
Building Inspector/Code Enforcement Officer
Lake Placid/North Elba Building Department
2693 Main Street
Lake Placid, NY 12946
Office: 518-523-9518
Cell: 518-524-4214

From: Elizabeth Reed <Liz@ecsreed.com>
Sent: Wednesday, September 09, 2020 3:40 PM
To: Mike Orticelle <morticelle@northelba.org>
Subject: RB Case No. 1100

Please distribute the following to the North Elba Review Board.

Dear North Elba Review Board,

I am writing to urgently request that you deny the zoning variance sought by RB case No. 1100. In that case, a developer is requesting a variance for new construction of a boathouse on a parcel with only 70 feet of shoreline. The developer proposes a large, 3600 sq ft. camp on a tiny lot. There is no justification for easing restrictions for this project, which is just the sort of "Lake George" style overbuilding which the town's long-standing zoning restrictions were designed to prevent. We who have custody of this beautiful lake have a responsibility to current residents, thousands of seasonal visitors, as well as future generations, to protect it from overdevelopment.

As my brother Roger Smith has already stated, our family "once had enough shoreline for 17 new compliant boathouses on Lake Placid, but we decided it was better to give this viewshed of forest to future generations of visitors to Lake Placid rather than allow someone in our family or another to profit from this in the future. As I think of this in the context of new construction on 70 feet of shoreline, it's a stunning contrast of what is good for the future of Lake Placid and what is clearly not. These regulations have a clear purpose and they should be enforced."

Thank you for your consideration,

Elizabeth Smith Reed
Camp Carolina

Terry Tubridy

From: Mike Orticelle
Sent: Wednesday, September 9, 2020 3:15 PM
To: Terry Tubridy
Subject: FW: Variance

Regards,

Michael A. Orticelle, MPA
Building Inspector/Code Enforcement Officer
Lake Placid/North Elba Building Department
2693 Main Street
Lake Placid, NY 12946
Office: 518-523-9518
Cell: 518-524-4214

From: Catherine Cuthell <ccuthell@gmail.com>
Sent: Wednesday, September 09, 2020 3:02 PM
To: Mike Orticelle <morticelle@northelba.org>
Subject: Variance

Dear North Elba Review Board,

It has come to my attention that a variance is being requested for new construction on a parcel with only 70 feet of shorefront.

There have been restrictions on lakefront construction imposed by the Town for decades. These restrictions are in place for a reason. They help preserve a priceless asset that is treasured each summer by not only residents, but thousands of visitors too. If Lake Placid starts to look like Lake George, there is no incentive for tourists to drive the extra miles to come to Lake Placid. The character of the lake and the historic homes is a big draw and overdevelopment may provide a temporary immediate financial benefit for the town but will destroy the economy in the long run. Please do not be shortsighted and allow this variance.

Thank you for your consideration,

Catherine Cuthell
Lake Placid
201/207-5507

Terry Tubridy

From: Mike Orticelle
Sent: Wednesday, September 9, 2020 2:30 PM
To: Terry Tubridy
Subject: Fwd: Please share with the Review Board

Regards,

Michael Orticelle, MPA
Building Inspector/Code Enforcement Official
Town of North Elba/Village of Lake Placid
Office: 518-523-9518
Cell: 518-524-4214

From: Roger K. Smith <rsmith@sourceaudio.net>
Sent: Wednesday, September 9, 2020 2:16:11 PM
To: Mike Orticelle <morticelle@northelba.org>
Subject: Please share with the Review Board

Dear North Elba Review Board,

It has come to my attention that a variance is being requested for new construction on a parcel with only 70 feet of shorefront. If ever there was an easy moment to say no, this is it.

There have been restrictions on lakefront construction imposed by the Town for decades, and one can only surmise these restrictions are in place to help preserve a priceless asset that is treasured each summer by not only residents, but thousands of visitors too. Backing down from this long-standing commitment now makes no sense at all.

My family once had enough shorefront for 17 new compliant boathouses on Lake Placid, but we decided it was better to give this viewshed of forest to future generations of visitors to Lake Placid rather than allow someone in our family or another to profit from this in the future. As I think of this in the context of new construction on 70 feet of shorefront, it's a stunning contrast of what is good for the future of Lake Placid and what is clearly not. These regulations have a clear purpose and they should be enforced.

Thank you for your consideration,

Roger Smith
Lake Placid
518-523-7087