

JAY RAND
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162
JACK FAVRO
DEREK DOTY
RICHARD CUMMINGS
EMILY KILBURN POLITI
TOWN COUNCIL
KENNETH PORTER
SUPT. OF HIGHWAYS
523-9081
CATHERINE EDMAN
BUDGET OFFICER
523-9517

TOWN OF NORTH ELBA

2693 MAIN STREET
LAKE PLACID, NEW YORK 12946
phone: (518) 523-9516 fax: (518) 523-9569
web: www.northelba.org



EUGENE MARTIN
PARK DIST. MGR.
523-2591
MIKE ORTICELLE
DARCI LAFAVE
CODE ENFORCEMENT OFFICIALS
523-9518
TODD ANTHONY
ASSESSOR
TEL: 523-1975
FAX: 523-9821
TOWN COURT OFFICE
523-2141
RONALD J. BRIGGS
ATTORNEY FOR THE TOWN

REVIEW BOARD MEETING MINUTES July 15, 2020

MEMBERS PRESENT

Bill Hurley
Chip Bissell
Jackie Kelly
Bob Rafferty
Rick Thompson

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Mr. Hurley opens the meeting at 5:31 PM

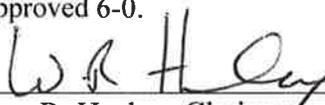
Lake Placid Vacation Corp. (Case #1082)

The Board addressed the site visit conducted on 7/7/2020. All Board members were present. The Board observed the property and voted on setback standards for the requested Planned Development District for property along Wesvalley Rd (Tax Map #42.2-3-2.000). Setback standards were specified in a letter of recommendation to the Town Board (Review Board letter of 7/13/2020).

This completes the Review Board's responsibility, per the Land Use Code, for action on a request for a planned development district.

Case #1082 closed.

These minutes were reviewed by the Board on 8/5/2020. Mr. Hurley made a motion to approve the minutes as written. Mr. Rafferty seconded the motion. All present members voted in favor. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED	
Date	8/17/20
Town Clerk	Chelsea Tucker
Date	8/19/20
Village Clerk	Chris A. Edy

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REVIEW BOARD MEETING MINUTES July 15, 2020

MEMBERS PRESENT

Bill Hurley
Chip Bissell
Jackie Kelly
Bob Rafferty
Rick Thompson

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Hawley, Angela/Life is Good (Case #1092)

Laura Walker present as applicant's representative.

Mr. Hurley: reviews the sign application.

Ms. Walker: the primary sign will use halo lighting similar to that in use for The Lake House restaurant. Halo lighting is embedded in the back of the brushed aluminum letters and shines against the background panel.

Mr. Hurley: approves of halo lighting but does not like back lighting.

Ms. Kelly makes a motion to approve the sign as designed, subject to the following condition:

- a. Sign design plans are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.

Mr. Rosenthal seconds the motion.

All present members vote to approve. The motion passes 6-0.

Case #1092 closed.

These minutes were reviewed by the Board on 8/5/2020. Mr. Hurley made a motion to approve the minutes as written. Mr. Rafferty seconded the motion. All present members voted in favor. The motion was approved 6-0.

W.R. Hurley

William R. Hurley, Chairman
Review Board

RECEIVED

Date:

8/17/20

Town Clerk

Christina D'Amico

Date:

8/19/20

Village Clerk

Amika R. Esty

JAY RAND
SUPERVISOR
LAURIE C. DUDLEY
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REVIEW BOARD MEETING MINUTES July 15, 2020

MEMBERS PRESENT

Bill Hurley
Chip Bissell
Jackie Kelly
Bob Rafferty
Rick Thompson

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Michaud, Greg/Farmhouse Café (Case #1093)

Laura Walker present as applicant's representative.

Mr. Hurley: reviews the sign application.

Ms. Walker: the old sign was installed on a v-shaped structure mounted on the exterior wall. That structure has been removed and the new sign will be mounted flat on the building.

Mr. Hurley: likes the colors and notes the red is not too bright.

Ms. Kelly makes a motion to approve the sign as designed, subject to the following condition:

- a. Sign design plans are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.

Mr. Rosenthal seconds the motion.

All present members vote in favor. The motion passes 6-0.

Case #1093 closed.

These minutes were reviewed by the Board on 8/5/2020. Mr. Hurley made a motion to approve the minutes as written. Mr. Rafferty seconded the motion. All present members voted in favor. The motion was approved 6-0.

W.R. Hurley

William R. Hurley, Chairman
Review Board

RECEIVED	
Date:	<u>8/17/20</u>
Town Clerk	<u>Chelsie Chester</u>
Date:	<u>8/19/20</u>
Village Clerk	<u>Annika G. Esby</u>

JAY RAND
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
523-2162
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REVIEW BOARD MEETING MINUTES July 15, 2020

MEMBERS PRESENT

Bill Hurley
Chip Bissell
Jackie Kelly
Bob Rafferty
Rick Thompson

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Stanton, Joel & Ratkos, Kimberly (Case #1094)

Joel Stanton and Kimberly Ratkos present.

Applicants are proposing to demolish an existing structure at 5712 Cascade Rd and build a new residential and commercial use two-story structure with two apartment units on the second floor, a commercial three-bay garage on the ground floor, and outside storage of construction equipment.

Mr. Hurley: reviews the site plan, building design, and the proposed residential and commercial use of the property. Notes the structure meets the setback standards for that lot and vehicles will enter on the right side of the property to access the rear area.

Mr. Stanton: the original intent was to build the house at the back of the property and store equipment in the front. The current design puts the house up front to provide space in the rear of the property for equipment storage. Traffic will flow in a counter-clockwise direction around the new building. Also working with Essex County to reclaim abandoned New York State property that runs parallel between his lot and NYS Rt 73.

Mr. Hurley: notes the original design and two alternative designs regarding required changes in either the roof height, the façade, or a combination of both. Asks which is preferable. Notes the building is 91 ft. long and the Code requires changes in the building height or façade for buildings between 60 and 120 ft long (Sec. 5.4.3C(2)).

Mr. Stanton: discusses other options for roof and façade design presented to the Board. Reclamation of the abandoned property provides an option to design a 10' bump-out in the front of the building.

Mr. Hurley asks the Board how important changes to the roof or façade are for the back side of the building. The Board agrees there is no need for architectural changes to the back side.

Ms. Ratkos: the preferred roof design is an opposing gable roof that is no higher than the main roof and does not extend past the front façade. The ground-floor design also includes three garage doors in the front and two garage doors in the back.

Mr. Hurley: agrees the preferred roof design looks nice, but it does not meet the Code requirement of a 10' change in either the height or façade, or combination of both. The roof design could also incorporate false dormers to break up the long run of the roof; although they would not count as a change in roof height.

Mr. Thompson: what is the bay height?

Mr. Stanton: 14 feet with 12-ft high garage doors.

Mr. Hurley: where will parking be located for residents?

Mr. Stanton: anywhere in the back of the lot. No parking will be allowed in the front.

Ms. Ratkos: discusses plantings at the front (roadside) of the lot and in front of the building.

Mr. Hurley: a site plan is needed showing landscaping and an impervious surface calculation (no more than 70% for Gateway Corridor districts).

Mr. Stanton: I intend to put in a concrete wall along the north side of the property and a rock wall along the rear lot line. There will be no changes along the south side of the property. The rock wall will clean up debris and dirt that has accumulated along the rear lot line and onto the property to my rear.

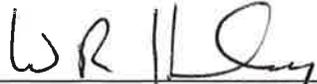
Mr. Hurley: to move forward, the Board needs the new site plan with landscaping and impervious surface calculation, the new roof design, the new 10-ft bump out on the front of the building, and an updated building height measured per our Code.

Mr. Stanton: presents color samples of mahogany red for the gables, green for trim, and brown for 1"x8" clapboard siding. Green insulated metal doors will be used for the garage bays.

The Board agrees to hold a public hearing, tentatively scheduled for August 5, 2020. Applicant is required to have all new information submitted to the Building Dept. before a public hearing and neighbors within 200 ft. can be noticed.

End of discussion.

These minutes were reviewed by the Board on 8/5/2020. Mr. Hurley made a motion to approve the minutes as written. Mr. Rafferty seconded the motion. All present members voted in favor. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED	
Date	<u>8/17/20</u>
Town Clerk	<u>Cheryl J. Jester</u>
Date	<u>8/19/20</u>
Village Clerk	<u>Christa A. Esch</u>

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RONALD J. BRIGGS
ATTORNEY FOR THE TOWN

REVIEW BOARD MEETING MINUTES July 15, 2020

MEMBERS PRESENT

Bill Hurley
Chip Bissell
Jackie Kelly
Bob Rafferty
Rick Thompson

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Doty, Anthony (Case #1095)

Anthony Doty and wife present.

Mr. Doty proposes to operate a hot dog cart on property located at 8 Whiteface Inn Lane.

Mr. Hurley: reviews the application, including proposed signs.

Mr. Doty: there are two possible locations for the cart on the property (refers to the submitted site plan). The signs will be posted on the side of the cart and the sandwich sign by the road will be eliminated. There will be no music and the cart will remain in place when closed.

Ms. Kelly makes a motion to approve the proposed use, subject to the following conditions:

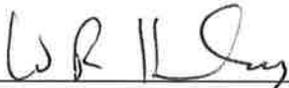
- a. Architectural and site design plans are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.
- b. This approval does not address or make any findings regarding applicable deed restrictions, covenants, or other title conditions. This approval does not excuse the applicant from

obtaining all other necessary governmental approvals, including but not limited to the New York State Building Code, Adirondack Park Agency, New York State Department of Environmental Conservation, New York State Department of Health, and/or Army Corps of Engineers.

Mr. Rafferty seconds the motion.
All present members vote in favor. The motion passes 6-0.

Case #1095 closed.

These minutes were reviewed by the Board on 8/5/2020. Mr. Hurley made a motion to approve the minutes as written. Mr. Rafferty seconded the motion. All present members voted in favor. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED	
Date:	<u>8/17/20</u>
Town Clerk	<u>Christina Duster</u>
Date:	<u>8/19/20</u>
Village Clerk	<u>Antonia A. Ely</u>

JAY RAND
SUPERVISOR
LAURIE C. DUDLEY
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523-2162
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DEREK DOTY
RICHARD CUMMINGS
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REVIEW BOARD MEETING MINUTES July 15, 2020

MEMBERS PRESENT

Bill Hurley
Chip Bissell
Jackie Kelly
Bob Rafferty
Rick Thompson

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Adirondack Real Estate Development (Case #1096)

Philipp Schachenmayr present as applicant.

Mr. Schachenmayr is proposing to allow mobile food trucks to operate from his gravel covered property at 36 Parkside and to allow limited picnic table seating.

Mr. Hurley: reviews the proposal. Notes this property was previously reviewed by the Board for use as a parking lot. Asks how many trucks would be on site at the same time.

Mr. Schachenmayr: the parking lot plan is too much work, too much money and not enough time. Hoping to host three food trucks at the same time. There could be more if the food service operation is successful. This is a concept at this point and no rent is currently being charged for truck use of the property. Wants to make sure all paperwork and permissions are in order.

Mr. Hurley: amenable to three trucks but not sure about four or more. Wants to see how three trucks work before considering any more. Concerned about noise issues if each truck provides their own music. Also concerned about the possible presence of live entertainment as mentioned in the proposal. How will that be handled and how do you keep music (sound) on your property? Otherwise, I do not see a way we can stop food trucks from coming and entertaining our community.

Mr. Bissell: are any trees to be removed?

Mr. Schachenmayr: no major tree removal is planned. Some small trees may be removed. I plan to use picnic tables for customer seating but otherwise the lot will remain as it is today. Parking should be sufficient but I do not want to design specific parking spots. Food service is targeted for walk-up customers.

Mr. Thompson: notes a Texas city had created a food truck park and erected barriers to protect customers from vehicle traffic.

Mr. Hurley: I can see the need for protection in a bigger city but I see this as a walk-up activity. We could require protection in the future if needed.

Ms. Kelly: is ROOST still using the parking lot?

Mr. Schachenmayr: no, they have not needed to use the lot since the COVID crisis began. Agrees with Mr. Hurley regarding a protective barrier and, while safety is important, would like to wait and see if anything is necessary. There should be very little vehicle traffic in the lot.

Mr. Hurley: there are only six to seven weeks left in this year's season. I suggest we approve this proposal with three trucks and not worry about car traffic for now. We can require increased safety features if needed. The applicant will know of any safety issues before this Board hears of them and will have to satisfy any liability issues with their insurance company. The Board can review the use on a year to year basis and recommend improvements as necessary. The other issue is the live entertainment.

Mr. Schachenmayr: the entertainment will be limited to one person with a guitar without using an amplifier.

Ms. Kelly: notes there are some residential dwellings nearby. What are the proposed operating hours?

Mr. Schachenmayr: I would like to operate as long as possible. I would hate to have to close down by 6 PM when business may still be good. I do not see me or the food trucks paying for an entertainer so I am ok with no live music.

Mr. Hurley: I am ok with 10 AM to 9 PM.

Mr. Orticelle: asks if the trucks will stay parked overnight. Be aware of our noise ordinance limiting noise after 9 PM.

Mr. Schachenmayr: the Dept of Health regulates food truck operation. I would also like to have lights strung over the picnic table area.

Mr. Hurley: LED string lights would be acceptable. Lights should be on a timer to keep people from using the tables once the food trucks are closed.

Mr. Thompson: are there any signs?

Mr. Schachenmayr: there are no signs planned at this time. The food trucks will likely be flexible in their start/stop times and signs would not help.

Mr. Hurley: there are many questions that will not be answered until the food trucks begin operating. We can maintain jurisdiction and address problems as they may arise. The trucks will have their menus posted on the truck. We can play this by ear and see what happens.

Mr. Orticelle: who is responsible for garbage?

Mr. Schachenmayr: the trucks will be responsible for their garbage and I will ensure the area is kept clean.

Mr. Hurley makes a motion to approve the proposal, subject to the following conditions:

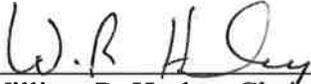
- a. No more than three food trucks shall be allowed onsite at any one time.
- b. Operating hours for the food trucks shall be from 10:00 AM to 9:00 PM.
- c. Picnic tables with overhead LED string lighting are permitted, and all lighting shall be turned off at 9:00 PM.
- d. No signs are allowed beyond those mounted on the food trucks.
- e. The Board will maintain jurisdiction over food truck operations until next summer (2021) and determine if any issues must be addressed for future operation.
- f. This approval does not address or make any findings regarding applicable deed restrictions, covenants, or other title conditions. This approval does not excuse the applicant from obtaining all other necessary governmental approvals, including but not limited to the New York State Building Code, Adirondack Park Agency, New York State Department of Environmental Conservation, New York State Department of Health, and/or Army Corps of Engineers.

Mr. Bissell seconds the motion.

All present members vote in favor. The motion passes 6-0.

Case #1096 closed.

These minutes were reviewed by the Board on 8/5/2020. Mr. Hurley made a motion to approve the minutes as written. Mr. Rafferty seconded the motion. All present members voted in favor. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED	
Date:	<u>8/17/20</u>
Town Clerk	<u>Chelle Lester</u>
Date:	<u>8/19/20</u>
Village Clerk	<u>Smith, G. Esty</u>

JAY RAND
SUPERVISOR
LAURIE C. DUDLEY
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REVIEW BOARD MEETING MINUTES July 15, 2020

MEMBERS PRESENT

Bill Hurley
Chip Bissell
Jackie Kelly
Bob Rafferty
Rick Thompson

MEMBERS ABSENT

Bill Walton

ALSO PRESENT

Tim Smith, Board Attorney
Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Board Business

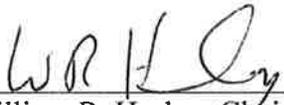
Minutes of 7/1/2020

Mr. Hurley makes a motion to approve the minutes as amended.
Ms. Kelly seconds the motion.
All present members vote in favor. The motion passes 6-0.

Mr. Hurley: asks if there has been any change to allowing the public to attend Board meetings.
Mr. Orticelle: states he is unsure. The current rules state there can be 25 people in a room.
Mr. Hurley: very well, public hearings will continue to be held via teleconferencing.

Meeting adjourned at 6:27 PM.

These minutes were reviewed by the Board on 8/5/2020. Mr. Hurley made a motion to approve the minutes as written. Mr. Rafferty seconded the motion. All present members voted in favor. The motion was approved 6-0.


William R. Hurley, Chairman
Review Board

RECEIVED	
Date	8/17/20
Town Clerk	Chelsie Decker
Date	8/19/20
Village Clerk	Marta A. Egan