

ROBERT T. POLITI
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK / TAX COLLECTOR
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JAY I. RAND
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TOWN OF NORTH ELBA

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RONALD J. BRIGGS
ATTORNEY FOR THE TOWN

REVIEW BOARD MEETING MINUTES November 6, 2019

MEMBERS PRESENT

Bill Hurley
Emily Kilburn
Chip Bissell
John Rosenthal
Jackie Kelly
Bill Walton

MEMBERS ABSENT

Andrew Thompson

ALSO PRESENT

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

Mr. Hurley opens the meeting at 5:30 PM.

Forsyth, James/Tri Lakes Marine (Case #1043) – Notice to Neighbors/Architectural Review/Viewshed Overlay

James Forsyth present and Skip Outcalt present as applicant's representative.

Mr. Outcalt provides color samples for the proposed storage building – Burnished Slate for the sides and Fern Green for the roof. Mr. Outcalt states the building slab will be at 1612' in elevation, putting it below the elevation of approximately 1620' for NYS Rt. 86.

Mr. Outcalt argues the storage building is a principal building as it is integral to Mr. Forsyth's boat storage/maintenance business. Mr. Outcalt further argues the Code does not define what constitutes a principal building and zoning for the Gateway Corridor allows 10 units per acre. Meaning this 3.13-acre property could have up to 30 units.

Mr. Hurley states businesses can have multiple principal buildings.

Mr. Smith states it is reasonable to use the APA definition of a principal building in view of the lack of a definition in our Code.

Ms. Kilburn asks if a residential property could argue for more than one principal building, based on allowed density, for a lot.

Mr. Smith states the allowed density would determine the number of principal buildings.

Ms. Kilburn notes the need for a definition of principal building.

Mr. Outcalt mailed seven notices to neighbors but failed to send with a return receipt.

Mr. Smith advises the Code has some leeway for notices to neighbors. Mr. Outcalt has proven he mailed the notices.

Notice to Neighbors opens at 5:39 PM.

Mr. Gary Riebel (next-door neighbor): asks what the zoning is for the site and if the grade is going to be raised.

Mr. Hurley states the grade is being lowered.

Mr. Riebel states his wish to better understand the definition of a subdivision.

Mr. Outcalt notes the APA has issued a letter of non-jurisdiction for this proposal.

Mr. Ed Dukett (next-door neighbor): claims the survey stakes for his shared property line with Mr. Forsyth have been covered or removed. He further claims his property is being encroached on. Asks where the stormwater runoff will go as runoff currently comes onto his property. Also asks how chemical runoff from boat washing will be collected.

Mr. Hurley states a stormwater plan is currently being designed. He also requests applicant include details of a boat washing station in the stormwater plan.

Mr. Forsyth states the cleaning station will use a biodegradable product called Slimy Grimy. [This product is advertised as being phosphate-free and safe for fish and flora]

Notice to Neighbors closed at 5:45 PM.

Mr. Hurley notes the natural water flow is towards the west onto property owned by Ed Dukett. He also states the Board has previously given provisional approval for projects pending receipt of an engineered stormwater management plan. Mr. Hurley states the Board is concerned only with stormwater runoff (i.e., water running off impervious structures) and not with preexisting water flow.

Mr. Orticelle states a building permit will not be issued without a signed/stamped engineered stormwater plan.

End of discussion.

These minutes were reviewed by the Board on 11/20/2019. Ms. Kilburn made a motion to approve the minutes as written. All Board members, except Mr. Thompson (abstained due to absence on 11/6/19), voted in favor. The motion passed 6-0.



William R. Hurley, Chairman

RECEIVED

Date 1-9-2020
Town Clerk Chelsie Steeler
Date 1/10/2020
Village Clerk Amita R. Estling

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Terry Tubridy, Planning & Zoning Coordinator
Tim Smith, Board Attorney

Ms. Kilburn departs before this case is heard.

Genito, David (Case #1049) – Conditional Use

David Genito present as applicant.

Applicant is proposing a 200' x 75' storage area consisting of a standard shipping container and storage of large fiber optic cabling reels on property leased from Hyde Fuel at 20 Raybrook Rd.

Mr. Hurley reviews the proposal. Asks which entry point will be used to access the property.

Mr. Genito states the second entrance is easier to use. The storage area will be used on a daily basis during full construction periods.

Mr. Hurley identifies a home that has been built since establishment of the Hyde fuel farm. Notes the trees are not as thick as they appear on a site photograph and the container will likely be seen from the new home. Asks if a site visit is warranted.

The Board agrees to conduct a site visit. Scheduled for Wednesday, November 13, at 4:30 PM.

Mr. Hurley further directs a notice to neighbors for properties on the south side of the fuel farm. It appears there is the new house and two other parcels of empty land.

End of discussion.

These minutes were reviewed by the Board on 11/20/2019. Ms. Kilburn made a motion to approve the minutes as written. All Board members, except Mr. Thompson (abstained due to absence on 11/6/19), voted in favor. The motion passed 6-0.



William R. Hurley, Chairman

RECEIVED	
Date	<u>1-9-2020</u>
Town Clerk	<u>Chelsea Kessler</u>
Date	<u>1/10/2020</u>
Village Clerk	<u>Amie A Estling</u>

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MEMBERS ABSENT

Andrew Thompson

ALSO PRESENT

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Terry Tubridy, Planning & Zoning Coordinator
Tim Smith, Board Attorney

Magdi Lake Drive LLC/DiCiocco, Enzo (Case #1050) – Sign Reviews

Mr. John Garito present as applicant's representative.

Magdi Lake Drive, LLC, is proposing signs for Lake Placid Inn locations on Main Street and on the corner of Mirror Lake Dr. and Parkside Dr. The designs will match the Lake Placid Inn sign at 2050 Saranac Ave.

Ms. Kilburn notes the rendering in the application does not match the sign on Saranac Ave.

Mr. Garito states the rendering is not accurate and the design and colors are the same as Saranac Ave. The words "Main Street" and "Boutique Hotel" will be added to the Main St and Parkside Dr locations; respectively. The sign will be flat aluminum mounted on half-inch PVC with no raised lettering. Lighting will be LED downlight bars mounted above each sign.

Ms. Kilburn makes a motion to approve the signs as designed, subject to the following conditions:

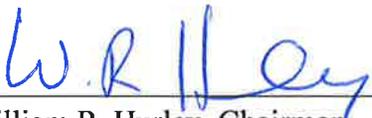
- a. Sign design plans are approved as submitted. Any and all changes or additions to the plans, specifications, materials, or engineering must be submitted in writing for further review and approval by the Review Board.

Mr. Bissell seconds the motion.

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

Case #1050 closed.

These minutes were reviewed by the Board on 11/20/2019. Ms. Kilburn made a motion to approve the minutes as written. All Board members, except Mr. Thompson (abstained due to absence on 11/6/19), voted in favor. The motion passed 6-0.



William R. Hurley, Chairman

RECEIVED	
Date	<u>1-9-2020</u>
Town Clerk	<u>Chelsea Glester</u>
Date	<u>1/10/2020</u>
Village Clerk	<u>Amber A Estling</u>

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MEMBERS ABSENT

Andrew Thompson

ALSO PRESENT

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

Board Business

LP Hotel Partners LLC/Hotel North Woods (Case #1044)

The Board agreed to wait until the next, as yet unscheduled, meeting with LP Hotel Partners LLC to recap the site visit conducted on 9/30/19.

Minutes of 10/16/2019

Ms. Kilburn makes a motion to approve the minutes as written.
Mr. Walton seconds the motion.
All present members vote in favor. The motion is approved 6-0

2020 Meeting Schedule

Board reviews proposed meeting schedule for 2020. The schedule includes a shift to the second and fourth Wednesdays in January meetings due to New Year's falling on the first Wednesday. Board concurs with proposal without taking a vote.

Meeting adjourned at 6:14 PM.

These minutes were reviewed by the Board on 11/20/2019. Ms. Kilburn made a motion to approve the minutes as written. All Board members, except Mr. Thompson (abstained due to absence on 11/6/19), voted in favor. The motion passed 6-0.



William R. Hurley, Chairman

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Date 1-9-2020

Town Clerk Chelsie Steeler

Date 1/10/2020

Village Clerk Amrita A. Gokhale