

JAY RAND
SUPERVISOR
LAURIE C. DUDLEY
TOWN CLERK/ TAX COLLECTOR
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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
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PARK DIST. MGR.
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MIKE ORTICELLE
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TODD ANTHONY
ASSESSOR
TEL: 523-1975
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TOWN COURT OFFICE
523-2141
RONALD J. BRIGGS
ATTORNEY FOR THE TOWN

REVIEW BOARD MEETING MINUTES May 6, 2020

MEMBERS PRESENT

Bill Hurley
John Rosenthal
Chip Bissell (late join)
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 5:32 PM.

Note: All present Board members, except Mr. Smith, connected via GoToMeeting video conferencing.
Mr. Smith present by telephone.

White Horse Placid LLC (Case #1070)

Applicants Patrick and Tamara White present via video.

Site visit recap: all Board members, except Mr. Thompson, and Mr. & Mrs. White present at site visit on 22 April. The Board observed the site lot lines, the staked corners of the car wash building, the proposed location of the entry drive, and the two exterior vacuum locations. Board members and applicants discussed traffic flow, curbing, site fencing and screening, and possible relocation of the exterior vacuums.

Mr. Hurley: the applicant had answered several questions asked before the visit. The Board has those answers but is free to ask anything else.

Mr. White: the vacuum locations have been changed. The island wing has been removed and there will be 18 ft of separation. The new design will allow fencing around each vacuum for better screening and sound mitigation. Site snow plowing will be improved as well. States most of the Board's recommendations are easy to incorporate. We have held off on updating the site plan until listening to public concerns.

Mr. Thompson: is there any plan for trees along the highway?

Mr. White: there were no plans for trees but that can be looked at.

Mr. Hurley opens the public hearing at 5:40 PM. Notes the Board has received five written comments from the public

Ms. Mary Bigelow: expresses concern over traffic flow and turns on Saranac Avenue and the visibility of a car wash on a primary entryway in/out of the village. Notes the presence of other car washes in town and does not see the need for another car wash. Drove along Saranac Avenue from the perspective of a tourist. Lake Placid is losing its soul and is too commercial (refers to an unspecified recent letter to the editor in the Enterprise). People prefer Saranac Lake to Lake Placid. Wishes the car wash was hidden from view but thanks applicants for the attractive building design.

Ms. Karen Delaney: agrees with Ms. Bigelow. The location is a funny space when considering the existing car wash in the Hannaford plaza (Cold Brook Plaza). Main concern is traffic and noise. States other properties could be developed. Asks if the car wash will be fully automated.

Mr. Hurley: asks if the doors remain fully closed during the entire cycle of operation.

Mr. White: confirms full automation of the car wash. Also confirms the entry/exit doors remain closed during the entire wash/rinse/dry operation for each vehicle. Data for decibel levels, sourced from the CDC, have been provided. However, specific decibel information for the exterior vacuums has been provided by the vacuum manufacturer. States changing the vacuum layouts allows fencing on three sides for further noise reduction.

Mr. Hurley: most letters noted concerns with noise and traffic. The applicant's noise data is based on 43 car washes per day and the hours of operation are 7 AM to 9 PM.

Ms. Bigelow: a neighbor has asked for operating hours of 8 AM to 7 PM.

Mr. Hurley: the Board has discretion with regard to operating hours.

Public Hearing closed at 5:51 PM.

Mr. Smith: this project is Type II for SEQR.

Mr. Rosenthal: the letters addressing runoff are very valid.

Mr. White: we will obtain letters from the Village Electric and Water Departments certifying their infrastructures can support our business.

Mr. Hurley: the applicants can request guidance for screening requirements but it is up to them to make a proposal for review by the Board. Any trees along NY Route 86 would be a Department of Transportation concern. Confirms applicants have been in contact with the Maple Leaf Inn owner. Applicants are to return with a new site map design and landscaping/screening showing all proposed changes to the original design.

Mr. White: we will incorporate design changes into a new site plan and submit it to the Board.
End of discussion

These minutes were reviewed by the Board on 5/20/20. Mr. Bissell made a motion to approve the minutes as written. Mr. Rosenthal seconded the motion. All members voted in favor, except Mr. Walton who abstained. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED

Date: 6/4/20
Town Clerk: Chelsea Deesler
Date: 6/5/20
Village Clerk: Amida Q. Esty

JAY RAND
SUPERVISOR
LAURIE C. DUDLEY
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REVIEW BOARD MEETING MINUTES May 6, 2020

MEMBERS PRESENT

Bill Hurley
John Rosenthal
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

Kirby, Lisa/Lake Placid Flower & Gift (Case #1077)

Ms. Laura Walker present on video as applicant's representative.

Ms. Kirby is proposing a new sign for her relocated business at 6047 Sentinel Rd.

Ms. Walker describes the sign as double-sided high-density urethane. The sign will be mounted on an existing freestanding support structure using existing downlighting located under a small roof. Describes the test, graphics, and color scheme.

Mr. Bissell: the sign looks good.

Mr. Hurley makes a motion to approve the sign with 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.

Ms. Kelly seconds the motion.
All present members vote yes. The motion is approved 6-0.

Case #1077 closed.

These minutes were reviewed by the Board on 5/20/20. Mr. Bissell made a motion to approve the minutes as written. Mr. Rosenthal seconded the motion. All members voted in favor, except Mr. Walton who abstained. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED

Date: 6/4/20
Town Clerk: Chelsie Steeler
Date: 6/5/20
Village Clerk: Amita A. Esty

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REVIEW BOARD MEETING MINUTES May 6, 2020

MEMBERS PRESENT

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John Rosenthal
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

Walton, Bill & Doering, Marc/Experience Outdoors (Case #1073)

Applicant Mr. Marc Doering present via video conferencing.

Messrs. Doering and Walton are proposing to add a high ropes course to their existing zip line business on Cascade Rd.

Mr Hurley: reviews the application.

Mr. Doering: points out the location of the ropes course on the site map. Ropes are close to the west property line but no closer than an existing hiking trail.

Mr. Rafferty: is it a big change to your footprint?

Mr. Doering: no. All ropes and platforms are removable but the parking lot will be enlarged.

Mr. Hurley: do we need a site visit or do we proceed in light of the fact there is no change to the footprint and it is no closer to the property line?

Ms. Kelly and Mr. Thompson request a site visit as they are new board members and are not familiar with the current site layout. All others are fine without a site visit.

Mr. Thompson: asks about construction and safety (e.g., ASTM) standards for ropes courses.

Mr. Hurley: defers to the two new board members and schedules a site visit for Tuesday, 12 May, at 4:30 PM. States the Board should err on the side of caution as one applicant is a board member. Further states the construction methods and standards are not within the Board's purview.

Mr. Bissell: does the state inspect your property?

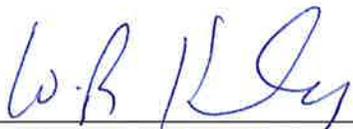
Mr. Doering: yes. Inspections are annual and include meeting standards per the Association for Challenge Course Technology organization.

Mr. Orticelle: states all safety and constructions standards are the responsibility of the building inspectors. These are not Review Board concerns.

Mr. Hurley: we will go with the site visit on Tuesday and the public will have until the next meeting to submit comments.

End of discussion.

These minutes were reviewed by the Board on 5/20/20. Mr. Bissell made a motion to approve the minutes as written. Mr. Rosenthal seconded the motion. All members voted in favor, except Mr. Walton who abstained. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED

Date: 6/4/20
Town Clerk: Chelsie Jesler
Date: 6/5/20
Village Clerk: Annika G. Giff

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REVIEW BOARD MEETING MINUTES May 6, 2020

MEMBERS PRESENT

Bill Hurley
John Rosenthal
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

Takach, Michael & Stacia/Camp Happy Hour (Case #1074)

Michael and Stacia Takach present via video connection.

Applicants are proposing to rebuild a lake camp (Lake Placid) destroyed by fire.

Mr. Hurley: asks about the project's status with the APA.

Mr. Takach: the APA's non-jurisdictional letter is included in our application. The DEC has also issued a temporary boat launch use permit.

Mr. Hurley: confirms the new structure will be in the original footprint with an additional 250 sqft on the backside (inland) of the building. Asks if the building will be taller.

Mr. Takach: not really taller. The previous lower level will be remodeled to be more usable. The exterior height will not change as the new roof ridge will be the same height as the old roof.

Mr. Hurley: you provided a picture of the camp before it burned. What will be the new color scheme?

Mr. Takach: everything will be rebuilt as it was previously. The same colors will be used for the siding and trim and the same roof shingle style and color will be the same.

Mr. Hurley: the post-fire picture shows the dock survived any damage.

Mr. Takach: the structure of the dock was not damaged but the fire's heat did damage the decking and trim. No change to the size/footprint.

Mr. Tubridy: notes Board members did get a lakefront view of the camp while travelling to/from site visits on Tuesday, 5 May.

Mr. Takach: notes the 250 ft expansion is beyond the 50 ft shoreline setback.

Mr. Hurley: notes the expansion is allowed because it is outside the setback. Further notes the Board has more leeway with a case like this because the Code addresses damage caused by fire. Asks the Board their opinion regarding public hearing, notice to neighbors, site visit, etc.

Mr. Smith: we rarely hold a public hearing on a one-family dwelling.

Ms. Kelly and Mr. Bissell state they could vote on this tonight.

Mr. Smith: it would be proper to vote on this tonight or hold to a two-meeting rule.

Mr. Takach: our most immediate neighbor is approximately 200 ft behind us and the Barnhard's have the closest building to us along the shore. There is also a thick tree line along of our side lot lines.

Mr. Hurley: is the 250 sqft addition visible?

Ms. Takach: no.

Mr. Hurley: sees no need for a notice to neighbors.

Ms. Kelly makes a motion to approve the project, 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. The Review Board will retain continuing jurisdiction over the exterior lighting plan and the wattage and shielding of lights, until one year after the improvements have been completed, and during this one-year period the Review Board may prescribe modifications if it sees fit to mitigate adverse impacts from the project's lighting.
- c. The Review Board will retain continuing jurisdiction over the planting plan aspects of the project, until one year after all plantings have been completed, and during this one-year period the Review

Board may prescribe additional plantings if it sees fit to mitigate visual impacts. Plantings which do not survive shall be replaced in kind, whether before or after the one-year period.

- d. The premises shall not be used for access to any other parcel of land fronting on Lake Placid, except to a single parcel which is or is to be improved only by a one-family residence and accessory structures thereto.
- e. The Review Board will retain continuing jurisdiction over the stormwater management plan aspects of the project, until one year after improvements have been completed.
- 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.
- g. Further, this review does not authorize any actual construction. Final plans, specifications, and construction documentation approval must be obtained through the Building Department.
- h. **NO** construction may commence without construction documents signed by the Code Enforcement Official.

Mr. Rafferty seconds the motion.

All present members vote yes. The motion is approved 6-0.

Mr. Orticelle: states all construction is on hold until 15 May.

Mr. Takach: acknowledges he also owes more documents for the building permit.

Case #1074 closed.

These minutes were reviewed by the Board on 5/20/20. Mr. Bissell made a motion to approve the minutes as written. Mr. Rosenthal seconded the motion. All members voted in favor, except Mr. Walton who abstained. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED

Date: 6/4/20

Town Clerk: Chelsea Jessler

Date: 6/5/20

Village Clerk: Andrea R. Ely

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REVIEW BOARD MEETING MINUTES May 6, 2020

MEMBERS PRESENT

Bill Hurley
John Rosenthal
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

Kryger, Cindy & Michael (Case #1075)

Andrew Chary and Michael Laramée present as applicant's representatives.

Applicants are proposing to build a single-family home on an empty lot located at 292 Mirror Lake Dr., Lake Placid.

Mr. Chary: the house design is almost the same footprint as the design approved for a previous property owner (Fraser). We can show a comparison of the two designs.

Mr. Hurley: the previous design is not valid for this new property owner. Notes the design is L-shaped and the footprint nearly takes up the entire available space within the boundary line setbacks.

Mr. Chary: confirms the design. The garage will include a workshop on the street-side of the garage. This pushes the garage closer to the rear (street-side) setback line. The garage location also allows cars to back out of the garage without endangering people exiting the house front door.

Mr. Hurley: discusses the design. Asks for the building height per the Land Use Code.

Mr. Chary: per the data shown on page A202 of the plans, the building height will be 21'8-1/4" as measured for North Elba. Mr. Laramie has noted we did not measure the midpoint between the roof ridge and the bottom of the eave. A correct measurement will lower the height of the building.

Mr. Hurley: notes the APA's method of measuring building height, to the top of the chimney, is 35'9". Asks for color samples.

Mr. Chary: samples of materials and colors are shown on page MR of the plans. All the stone on the exterior is the same.

Mr. Hurley: when can you have the site ready for an onsite visit.

Mr. Chary: we might be able to have it ready for Thursday unless Mr. Marvin needs to precisely stake out the house layout.

Mr. Hurley: we will need Mr. Marvin to show how close everything is to the lot setbacks and the existing screening. Can you be ready by our Tuesday site visit (Experience Outdoors)?

Mr. Chary: we can schedule it for Tuesday and I will confirm with the Building Dept.

Mr. Hurley: we will plan on visiting after the Experience Outdoors visit.

Mr. Thompson: is the stone manufactured veneer or native Adirondack stone?

Mr. Chary: the stone is not manufactured. We get our stone from Chippewa Stone in Fort Ann and have used it on many homes in Lake Placid. You can go to their website to learn more about their stone.

End of discussion.

These minutes were reviewed by the Board on 5/20/20. Mr. Bissell made a motion to approve the minutes as written. Mr. Rosenthal seconded the motion. All members voted in favor, except Mr. Walton who abstained. The motion was approved 6-0.


William R. Hurley, Chairman
Review Board

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Mike Orticelle, Code Enforcement Officer
Terry Tubridy, Planning & Zoning Coordinator

Board Business

Board Minutes

Mr. Rosenthal: references Case #1055 (Lake Placid Chalet, LLC) and asks if there is any time the Board would not follow an opinion provided by the Board attorney?

Mr. Hurley: yes. The attorney's opinion is not binding and the Board can decide differently if it chooses.
Mr. Smith concurs.

Mr. Rosenthal makes a motion to accept the minutes of 4/15/2020 as written.
Ms. Kelly seconds the motion.
All present members vote yes. The motion is approved 6-0.

Discussion re Case #1070 (White Horse Placid, LLC)

Mr. Hurley: I hope when we review this case again, Board members come up with a plan for screening and seriously consider the hours of operations and traffic with regard to 40 cars per day. We need to be diligent.

Ms. Kelly: I have a problem with traffic on Saranac Avenue; particularly in the summer.

Mr. Hurley: how do you deny one lot when other lots have no limits. My concern is the hours of operation.

Ms. Kelly: I understand. I am surprised Karen Wolff is not here, as the next-door business, to express her concerns.

Mr. Hurley: the hotel was also absent. I believe the applicant is working with both businesses.

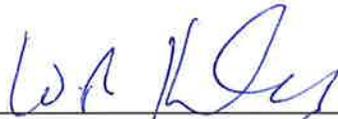
Mr. Bissell: refers to McDonald's and states traffic concerns are usually bigger than the actual impact.

Mr. Hurley: the public has raised the issue of traffic and the Board must consider their concerns.

End of discussion.

Meeting adjourned at 6:42 PM.

These minutes were reviewed by the Board on 5/20/20. Mr. Bissell made a motion to approve the minutes as written. Mr. Rosenthal seconded the motion. All members voted in favor, except Mr. Walton who abstained. The motion was approved 6-0.



William R. Hurley, Chairman
Review Board

RECEIVED

Date: 10/4/20
Town Clerk: Chelsea Lester
Date: 6/5/20
Village Clerk: Amber A. Easty