

APPROVED

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
OCTOBER 18, 2017
PLANNING BOARD MINUTES**

Board members present: Patricia Dow – Chairperson, Carol Sullivan, Chuck Luke, Dan Wolffield, Dean Howland

Board members absent: n/a

Others present: Karen Fallas, Rubin Ellsworth

TAX MAP NO.: 251.14-2-22

APPLICANT: MARIO FALLAS

ADDRESS: 15 OLD POST ROAD

ZONE: SINGLE FAMILY RESIDENTIAL

APPLICATION: SITE PLAN REVIEW

Applicant is proposing to add a 10' x 26' garage to existing property.

Karen Fallas addressed the board. The new garage will be used for car storage and will line up with the current roof line of existing house. Drive way will not change and siding will all match, same colors. Door on existing garage will be used to enter new garage.

There will be two separate egresses for the new garage. A side door and a main overhead door. The side door on the existing garage will be an egress between the two.

MOTION: Dan Wolffield made a motion to approve the new garage addition as proposed by Mario Fallas, as presented with colors matching the current siding and roofing and lighting where required.

2ND MOTION: Chuck Luke

Patricia Dow	Carol Sullivan	Dean Howland	Chuck Luke	Dan Wolffield
Aye	Aye	Aye	Aye	Aye

Aye = 5

Nay = 0

Motion carried

TAX MAP: 251.80-1-1

APPLICANT: ELLSWORTH & SONS – RUBIN ELLSWORTH

ADDRESS: 37, 39, 41, 43 DIESKAU ST.

ZONE: RESIDENTIAL MIXED USE

APPLICATION – PRIOR SITE PLAN APPLICATION - MODIFICATION

Applicant would like to make modifications to site plan – plantings and retaining wall.

Rubin addressed the board. Due to the location of National Grid gas lines Rubin cannot plant trees over the gas lines. He is proposing planters in those areas. There wasn't any other way to run the gas lines. Rubin will maintain the planter areas. Secondly, is the retaining wall in the back. Hutchins Engineering is still in the process of redesigning the wall from what was originally approved. He would like to step the wall instead of it going straight up like the southern end. He wants the two areas, the town homes on Dieskau and the townhomes on Courtland, to look subtle and not like two separate places. There would be a small retaining wall of approximately 4 feet in height across the back and then slope it up the back. Next year when he builds the townhomes on Courtland, he would build the second retaining wall and step it back as shown in the proposed plans.

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Chuck Luke asked what materials would be used. Rubin stated ready rock, a concrete block product with texture to it, same as southern end. Chuck asked about the stability of the wall, Rubin stated that Hutchins Engineering is designing it. Doug said there doesn't seem to be a concern with the stability of the wall, the land behind it is not as steep as it originally was. Doug has been to the site recently and viewed it with Rubin. Rubin is unsure if the new units on Courtland will have a back walk out patio or a full basement. It will depend on the height of the second wall. Grade on the side of the house would be sloped from the back of the house to front of house. Patricia asked if Rubin is proposing no trees. Rubin is proposing bushes instead of trees based on height. He is also concerned that the tree roots will eventually impact the walls. Dan Wolfeld asked if shrubs could be planted all along the lower side of the wall instead of trees. Rubin would like to landscape along the wall with bushes and/or low plantings instead of trees.

Patricia is concerned with stabilization of the ground due to lack of vegetation on the slope and is not sure the planting beds will help. Rubin said the trees won't have much to do with ground stabilization. Shrubs such as juniper or grass would better absorb the water and runoff. The trees would end up growing and effecting the retaining walls.

Dean asked about the heights of the walls if Rubin put a full basement in. If the current wall was 2 feet higher, than the second wall would eventually be 2 feet lower in the end. This would reduce the overall grade and might give room for trees. The current wall is 4 feet high.

Patricia addressed the drop in height from one end of the property to the other of nearly 25 feet. She asked that some consideration be made for the amount of run off. Rubin said that is why he would like to do a walk out so it would allow for a flatter area to stop the run off behind the house. Doug explained that if Rubin proposes to build on the above piece of property (Courtland Street), he will have to come up with a plan to maintain the storm water from that lot because it is a separate parcel. Rubin or anyone else who ends up building on, or owns that above lot is obligated to maintain the storm water on that parcel of property.

Rubin would like to have sod/straw blankets put in during the next few weeks to help with stabilization. There will be 4 feet of number 2 stone behind the wall. Dean mentioned that this is part of the requirements for building a retaining wall. Since it is an engineered wall it can go higher. Dean asked if the wall could go up 2 more tiers. Doug explained that he has been to the site to look at the retaining wall. There is stone all along the back of the retaining wall. Any water that comes down is going to go down and hit that stone and go straight down and the sandy soil that is there will suck all that up. Doug doesn't believe that Rubin will have any issues with water run off even if he develops the upper property because this retaining wall is running along the whole westerly part of the lot.

Chuck said that he is ok with the planter boxes and the walls sloping, and the engineered plans as they are, based on Doug's recommendation and based on the engineered plans, as long as Rubin can add 2 more tiers to the top of wall. Rubin explained that the he is concerned with the color. He has DOT approved block and they only made so much of that color. He is not sure if he can more of the exact color. New block will be close to the color if he cannot get more of the same. Dan agreed on the extra 2 tiers. If Rubin takes the slope out which lowers the run off and the extra grade, the wall won't be over powering or overbearing. Patricia agreed and said this would be a good solution, raising the wall, leveling out behind it and adding the shrubs. Rubin would add a foot of top soil so shrubs will grow.

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Rubin's third concern is the black top. On the south end of the townhomes on Dieskau Street, there is a retaining wall and next to that there is only a 3 ½ foot area left of earth between the black top and the wall. He is suggesting paving to the wall, based on issues he has had with other rental properties. The grass won't grow with the heat of the retaining wall and black top, and tenants will step on it getting out of their cars. It will become dirt over a very short period of time and he would like a cleaner look. Rubin explained that the grass will not grow there. Dan asked if the driveway could be moved over the 3 ½ feet but Rubin said no due to the stairs. If he uses stone it will eventually wash down the driveway into the road.

On the original approved plans fences were depicted, but not labeled as such, along the top of the property. Rubin doesn't want to put those in or the privacy fence between patios. He will put the privacy fences in if tenants request them.

MOTION: Dean made a motion to approve the site plan changes in four separate areas:

1. Planters instead of the originally proposed trees will be used. In addition, the two trees that are between the driveways on both units will remain.
2. The elevation of the retaining wall at the rear of the property is changed from 340' to 342'. Behind that wall will be a continuous layer of plantings, type to be determined, and above that vegetation/erosion blankets will be installed.
3. 3 ½ feet of black top will be added to the south side of the duplex between the driveway and existing retaining wall.
4. Previously referenced fencing behind the original retaining wall and the privacy fence between duplex units of both buildings does not have to be installed.

2nd MOTION: Dan Wolfeld

Patricia Dow	Carol Sullivan	Dean Howland	Chuck Luke	Dan Wolfeld
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

PROPOSED CHAPTER 186:

The Village Board received a proposal which would require amending Chapter 186: Streets and Sidewalks Article 1, 186-10.

The new addition would be 186-10 B (4).

B. This prohibition does not apply to:

New (4) The display of merchandise under a permanent roof or alcove, wholly on private property. Such display will be limited to one per individual store, removed during closed hours and not to exceed an area greater than 4' x 3'.

The Board discussed the proposed change.

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This change would allow the Fort's Beach Road stores and 4 other stores to have outside displays, Riley's, Dilligaf, House of Frankenstein and Maynard Center.

Doug feels that approving this would take the village in a different direction than the board has been working for.

Chuck mentioned if this change is approved there will be stores that can have outside displays and those who cannot. The stores that cannot have outside displays will see the outside displays and put out displays anyway.

Carol mentioned that there has always been an issue when one business has something outside that they have gotten approval for, another business will put out the same thing without getting approval, such as a flag. Then Doug has to go out and tell the businesses to remove the flag. The village has come a long way with landscaping and sidewalks, not sure if this would take away from that.

Chuck mentioned that the board works hard to approve signs and then a business would be allowed to put out a rack of sweatshirts and you don't know what will be on the sweatshirts.

Patricia mentioned that when merchants have sidewalk display days, it often looks like a flea market. The village has worked very hard on such things as planting and the water fountain and having racks outside isn't going to enhance the look of the village. Coat racks will be brought out and it won't enhance the look of the village.

Dan agreed and explained that Beach Road is a good example. Under the alcove, it becomes a pathway on a rainy day and there shouldn't be any displays in the pathway. If it is designed as a pathway, then something should be written into this law, that it remains a pathway.

Dean agreed and said that it can look like a flea market outside. This law would be a step back and take us down a notch.

Doug mentioned that businesses are not likely to put their best merchandise outside. They are not always going to have a sales clerk to look after it. It is usually items that you want to get rid of and don't care that much about. Doug also mentioned that there are businesses that spent a substantial amount of money to make sure they complied with the "no outside display of merchandise" such as Waterfront Living and The Emporium. This would be a step backwards.

The board agreed unanimously that they are not in favor of this revision.

Doug addressed the board: Robert Mastrantoni has resigned as chairman. Mayor Blais has asked the board to vote on a new chairperson.

Patricia asked the board members, who would be interested in the position. Chuck and Dean said they were not interested. Chuck would nominate Carol if she was interested. Dan and Patricia said they would be happy if Carol took the position.

Carol Sullivan was nominated, the board voted unanimously and Carol accepted the position of Planning Board Chairperson.

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Doug approached the board regarding Surfside Motel. Salim contacted Doug asking to approve closing in some buildings, getting rid of balconies to make some rooms bigger. Doug advised him that he would need to go through site plan review. Salim would also like to add a deck to increase seating for his pool area. Doug said he is not comfortable signing off on this without planning board approval. Doug will speak with DEC regarding permeability of the area. Patricia said it would be nice to see an entire property site plan. Carol said he needs to have an engineer do a calculation of the permeable surface. The board advised Doug that they believe Salim should go through site plan review and the question of permeable service should be addressed according to the Village code.

MINUTES: August 16, 2017

MOTION: Chuck Luke made a motion to approve the minutes of August 16, 2017 as presented.

2nd MOTION: Dean Howland

Patricia Dow	Carol Sullivan	Dean Howland	Chuck Luke	Dan Wolfeld
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

MINUTES: April 19, 2017

The review of April 19, 2017 minutes will be carried over to the next Planning Board meeting.

MOTION: Patricia Dow made a motion to adjourn the meeting at 7:37PM.

2nd MOTION: Chuck Luke

Patricia Dow	Carol Sullivan	Dean Howland	Chuck Luke	Dan Wolfeld
Aye	Aye	Aye	Aye	Aye

Aye = 5 Nay = 0 Motion carried

Respectfully submitted,

Stephanie Fregoe

Secretary

October 25, 2018