



# Village of Saranac Lake

Community Development Department  
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## VILLAGE OF SARANAC LAKE DEVELOPMENT BOARD MEETING MINUTES 11/1/2022

### ATTENDANCE

Development Board Members:  
Elias Pelletieri, Chairperson, Present  
Adam Harris, Present  
Rick Weber, Present  
Paul Herrmann, Present  
Meg Cantwell-Jackson, Present  
Bill Domenico, Alternate, Excused  
Dan Reilly, Alternate, Excused

### I. APPROVAL OF MINUTES

Chair Elias Pelletieri opened the meeting at 5:00pm.

Motion to approve September 6, 2022 Regular Meeting Minutes by Paul Herrmann, seconded by Rick Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Adam Harris, yes; Herrmann, yes; Meg Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, meeting minutes approved.

### II. ITEMS FOR BOARD ACTION

#### 1) Application of: Holmes/Clark, Area Variance, 92 Riverside Drive

##### A. Public Hearing

Motion to open the public hearing by Harris, seconded by Weber. Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, public hearing opened.

Tim Holmes, applicant, gave an overview of the project. He stated that this is part of a lot line adjustment to better reflect the current use of his and his neighbor's properties.

Motion to close the public hearing by Harris, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, public hearing closed.

##### B. Board Action

Weber asked about the procedure of the subsequent lot line adjustment and if that is to be done administratively. Jamie Konkoski, Community Development Director, stated that yes, it is administrative approval.

Weber referenced the Development Code for the criteria for review of an area variance application. He stated that he does not have any reason to not approve the variance, and that addressing the criteria is more of a matter of having a complete record on this variance request.

Pelletieri asked if there were any other comments from other Board members. He stated that he found the provided staff report to be a thorough and complete record and that he didn't have any issue with approving the variance as is.

Motion to classify the project as a Type 2 Action which requires no further review under SEQR by Weber, seconded by Herrmann.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, declaration moved.

Motion to find the project in conformance with LWRP policy standards and conditions by Weber, seconded by Harris.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, declaration moved.

Motion to approve Area Variance by Herrmann, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, Area Variance approved.

## 2) Application of: Cure Cottage Development, Site Plan Review, 545 AMA Way

### A. Public Hearing

Motion to open the public hearing by Herrmann, seconded by Harris.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, public hearing opened.

Michael Guerra, neighbor, asked the applicant about the total square footage of the project and if this project is part of a master plan.

Brian Draper, applicant, owner and manager, stated that the project totals 31,000sq.ft. and that yes, this is part of a masterplan. He stated that while the current version of the master plan is not complete as several decisions are still being worked out with their professional design group, he is open to phone calls and onsite tours in order to provide more information on the master plan.

Molly Hahn, neighbor, asked about the parking area and proposed ingress and egress.

Draper stated that there is parking directly adjacent to the building, including designated handicap parking, and that the ingress and egress for the site will be part of the masterplan, but that they anticipate making the Park Ave. side of the property a one way due to the historical markers.

Wayne Zukin, property owner, stated that the final masterplan will also delineate where proposed sidewalks, entryways, traffic flow, and additional landscaping will be.

Motion to close the public hearing by Herrmann, seconded by Harris.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, public hearing closed.

### B. Board Action

Draper and Zukin gave an overview of the planned renovation for the interior of the Dodds building, which will become 27 individual residential units and a café. There will not be any structural changes with all renovations being interior and taking care to preserve the historic nature of this centerpiece on the property.

Herrmann asked if this was on the Historic Registry and if local historic organizations knew of plans for this project.

Zukin stated that the property is on the Historic Registry and that because they will be seeking tax credits, they will have to submit plans to SHPO and will plan to do work in accordance with SHPO.

Konkoski stated that providing a copy of any SHPO approvals can be made a condition if the Board approves the project this evening. She also stated that there will be another opportunity for formal review at this level with the remainder of the property and what may be included in the masterplan, most likely in the form of a subdivision application.

Harris stated that this is a great project and he looks forward to seeing the rest of the proposal for the site.

Weber asked about the specifics of what is included in this Site Plan Review that fall outside of the interior building renovations, like if there is a designated parking area, any other elements around the property.

Draper stated that the roof on the Dodds building will be replaced, there may be some minor exterior painting, that while no entryways will be changed, they may need to replace some doors, they will be connecting water and sewer lines, but that the primary focus is on the renovations within the building.

Pelletieri stated that there is not room on site there for additional parking.

Konkoski stated that the plan, as is, is lacking detail on a section that is just labeled 'proposed parking' adjacent to the building but without any detail. She stated that if the Board approves the plan tonight a revised site plan can be

submitted, and more details on that 'proposed parking' can be worked out in a later application.  
Draper stated that they will address that in a later application.  
Weber asked if there will be designated parking for the units.  
Zukin stated that there will be more detail included in a later application as part of the comprehensive master plan, but that they estimate that for the 27 units there will be 50 parking spaces.  
Weber asked if they anticipate APA review for this project.  
Draper stated that for the subdivision application they would anticipate that triggering review from the APA.  
Weber stated that for the total number of units on the property, that may be the trigger, or they can initiate an agency review with a jurisdictional inquiry.  
Zukin stated that as they work through the masterplan with their land use experts they will work with the APA if that comes up.  
Cantwell-Jackson asked if there are to be any handicap accessible units.  
Zukin stated that there will be three on the 1<sup>st</sup> floor.  
Motion to issue a negative declaration for purposes of SEQR by Weber, seconded by Herrmann.  
Pelletieri asked for a Roll Call Vote.  
Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, declaration moved.  
Motion to find the project in conformance with LWRP policy standards and conditions by Herrmann, seconded by Harris.  
Pelletieri asked for a Roll Call Vote.  
Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, declaration moved.  
Motion to approve Site Plan with conditions, (1) provide a copy of SHPO approval before applying for a building permit, (2) submit a revised site plan that includes the location of the dumpsters and bicycle parking, and (3) remove the proposed parking and townhouse options from the revised site plan by Herrmann, seconded by Weber.  
Pelletieri asked for a Roll Call Vote.  
Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, Site Plan approved.

### III. OLD BUSINESS

#### 1) Review/Discussion of: Draft Cannabis Use Amendment

Pelletieri stated that after reviewing the draft between the previous meeting and this meeting, it looks to be complete. He asked about the wording of the cannabis cultivation facility definition.  
Konkoski stated that the wording can be revised to remove the phrase, 'not limited to.'  
Pelletieri asked about the security requirements and what that could look like.  
Konkoski stated that the details on security requirements have not been released by the state yet, and that the Board may have to revisit this even after adoption by the Village Board if the local requirements are in conflict with the still-to-be released state regulations. She stated that the non-conditional regulations are not out from the state yet.  
Harris asked if the state will require the supply to be grown in-state.  
Weber asked if this draft amendment is approved today, is it likely that the Village Board will move on it.  
Konkoski stated that the intent is for this to move on from this Board, then go to the Village's attorney for review before going before the Village Board. If the Village Board approves it, this will become part of the Development Code which, even without the full state regulations released, can indicate where in the Village those seeking state licensing can secure a location as that is part of the application to the state for retailers and growers.  
Pelletieri asked about the duration of the site plan approval being with the applicant, not with the property if sold.  
Konkoski stated that yes, it will be with each applicant due to each operator needing a license from the state.  
Weber clarified that even if the property was sold to another operator, they would have to submit an application to this Board.  
Herrmann stated that he doesn't see any issue if nothing has changed on that site.  
Konkoski stated that at this time it is not clear if the state will allow an owner-to-owner transfer of license.  
Weber stated that they can leave it to the state level of review and then revisit it.  
Konkoski stated that it does not have to be detailed here and that they can rely on other provisions of the Development Code. She stated that they will delete section L from the current draft.  
Herrmann stated that he is still not comfortable with this draft amendment because of the conflict between the state and the federal law. He stated that if the intent of the state law is to only allow the sale of product grown in the state, it has potential of being in violation of the constitution by regulating state to state commerce.  
Konkoski read the response from the Village's attorney regarding Herrmann's concerns.  
Motion to recommend draft law for adoption by Village Board by Weber, seconded by Harris.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, no due to the conflict between the state and the federal law, and the potential unconstitutionality of regulating state to state commerce; Cantwell-Jackson, yes; and Pelletieri, yes. Majority in favor, draft amendment approved.

## 2) Development Board Voting Procedures

Konkoski asked if everyone was okay with the draft document on voting procedures, with the reasoning to provide guidance and ensure that even if a project does not receive Board approval the procedures for voting can come up if there was ever a lawsuit filed.

Pelletieri stated that there isn't any need for an abstention, that voting yes, no or recusing oneself from a vote is sufficient. Herrmann stated that something may come up from a previous meeting that a member was not in attendance for and that may be reason enough for an abstention.

Weber asked if this document will include anything on guidance of completion of a project. And if the timing of recusal will be included in this document, if a member will miss a meeting.

Harris stated that there may be a meeting where its only one project out of several that a member of the Board needs to recuse themselves from and if its possible to just swap out with an alternate for one project.

Konkoski stated that they can work through that with the alternate and as long as there is notice for missing a meeting or recusal of just one project that staff can find an alternate and adjust the order of the meeting agenda if needed.

Pelletieri stated that draft document can be revised to state that Board members may abstain only when voting to approve minutes for a meeting where they were not present.

Konkoski stated that she will make those revisions and noted that this is just an internal working document.

## IV. NEW BUSINESS

Konkoski stated that in an effort to allow more time to deem applications complete or request more information from applicants, the application deadline will be moved from two weeks before a meeting to three weeks before a meeting.

## V. ADJOURNMENT

Motion to adjourn the meeting by Harris, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Harris, yes; Herrmann, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, meeting adjourned.

Meeting was officially adjourned at 6:55pm.

Meeting Minutes prepared by Cassandra Hopkins, Administrative Assistant.