



Village of Saranac Lake

Community Development Department

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DEVELOPMENT BOARD MEETING MINUTES 5:00PM TUESDAY, NOVEMBER 7, 2023

ATTENDANCE

Development Board Members:

Elias Pelletieri, Chairperson, Present

Rick Weber, Present

Dan Reilly, Present

Meg Cantwell-Jackson, Present

Bill Domenico, Present

I. APPROVAL OF MINUTES

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

Motion to approve October 3, 2023 Regular Meeting Minutes by Meg Cantwell-Jackson, seconded by Bill Domenico.

Pelletieri asked for a Roll Call Vote.

Roll Call: Rick Weber, yes; Domenico, yes; Dan Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, meeting minutes approved.

II. ITEMS FOR BOARD ACTION

1) Public Hearings

A. Public Hearing for the Application of: Ricardo de los Reyes, Special Use Permit for a Short-Term Rental, 27 Keene St.

Motion to open the public hearing by Reilly, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing opened.

No public comment made.

Motion to close the public hearing by Weber, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing closed.

B. Public Hearing for the Application of: ADK Saranac, LLC, Special Use Permit for a Short-Term Rental, 36 Dorsey St.

Motion to open the public hearing by Reilly, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing opened.

No public comment made.

Motion to close the public hearing by Weber, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

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

C. Public Hearing for the Application of: Felicia Spence, Special Use Permit for a Short-Term Rental, 498 Forest Hill Ave.

Motion to open the public hearing by Reilly, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing opened.

No public comment made.

Motion to close the public hearing by Weber, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing closed.

D. Public Hearing for the Application of: Cheryl Braunstein, Special Use Permit for a Short-Term Rental, 254 Kiwassa Rd.

Motion to open the public hearing by Reilly, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing opened.

Pelletieri read aloud a letter that was received from Steve Erman, neighbor at 276 Kiwassa Rd., which stated a concern over pedestrian safety if vehicles are parked on the road.

Motion to close the public hearing by Reilly, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing closed.

E. Public Hearing for the Application of: Aubuchon Realty Co. Inc., Area Variance for front yard setback along Cedar St., 258 Broadway

Motion to open the public hearing by Reilly, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing opened.

No public comment made.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing closed.

F. Public Hearing for the Application of: Colleen Gowan, Minor two-lot subdivision, 9 Ridge Way

Motion to open the public hearing by Reilly, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing opened.

Pelletieri read aloud a letter that was received from Karen Lewis, neighbor at 94 Forest Hill Ave., which stated support and caution for any future development affecting runoff.

Thomas Browne asked if there will be an access road to the second parcel.

Alan Latourelle, surveyor for the subdivision, stated that a 25ft. strip will provide that access to the property.

Motion to close the public hearing by Reilly, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes.

All in favor, public hearing closed.

2) Board Action

A. Application of: Ricardo de los Reyes, Special Use Permit for a Short-Term Rental, 27 Keene St.

Cantwell-Jackson stated that in the floor plan, the second story bedroom windows were not to the height off of the floor that they should be. She stated that it is something that probably falls to Chris McClatchie, Code Enforcement Officer, but that it caught her eye as something that might be of concern with regards to safety.

Matthew Rogers, Development Code Administrator, stated that yes, something like that would fall to that Village position. He stated that he can have a conversation with Chris, or that it is a reasonable condition to provide a solution as part of the approvals.

Weber asked for clarification if a building code issue is appropriate for this Board to bring up in a potential condition.

Rogers stated that there is reason there and that it is appropriate.

Domenico asked if the applicants are able to ensure safety even with the window height.

Cantwell-Jackson stated there are locks that can be placed on the windows.

Ricardo de los Reyes, applicant, stated that this had not caught his attention when purchasing the home and so far, they have been without incident, although he understands the safety concern. He stated that he is okay with doing something about this concern.

Pelletieri stated that this can be made a condition on approval to have the Village's Code Enforcement Officer look into.

Motion to issue a negative declaration for purposes of SEQR by Domenico, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, 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 Domenico, seconded by Reilly.

Pelletieri asked for a Roll Call Vote.

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

Motion to approve Special Use Permit for a Short-Term Rental with the following conditions, 1) applicant shall apply for a Short-Term Rental Permit pursuant to §106-104.3 Short Term Rentals, 2) camping shall not be permitted, 3) the Short-Term Rental Permit and a copy of the house rules in conformance with §106-104.3.K shall be displayed in the dwelling unit in a location that is easily visible and noticeable to guests, 4) post on or about the inside of the front room or main door of each dwelling unit a card listing emergency contact information and house rules, 5) comply with Village Code Chapter 188. Peace and Good Order, with respect to noise, 6) comply with the maximum occupancy limits that will be established by the Code Enforcement Officer, 7) parking shall be allowed solely in approved spaces, 8) rental arbitrage shall not be permitted, 9) the owner shall be responsible for all refuse and garbage removal in conformance with §106-96 of the Village Code, 10) compliance with the signage requirements of §106-104.3 Short Term Rentals, and 11) Development Code Administrator to have a conversation with the Code Enforcement Officer to determine safety of second story windows, by Domenico, seconded by Reilly.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, project approved.

B. Application of: ADK Saranac, LLC, Special Use Permit for a Short-Term Rental, 36 Dorsey St.

Weber stated that this Short-Term Rental relies on vehicle parking in the driveway and in nearby areas.

Pelletieri stated a potential condition on approval that house rules shall inform guests that overnight parking may be prohibited at the Dorsey Park Public Parking Lot for snow removal or other reasons.

Ben Chmielewski, applicant, stated that there is one single parking space dedicated in the driveway, that the Dorsey Street parking lot is popular and that in the winter guests with more than one vehicle are instructed to use the Dorsey Parking Lot. He added that included in the guest manual they specify the parking instructions. He stated that its set up just as if they lived there with their own vehicles.

Rogers stated that any conditions will be on the applicant's approval.

Motion to issue a negative declaration for purposes of SEQR by Weber, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, 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 Reilly, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

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

Motion to approve Special Use Permit for a Short-Term Rental with the following conditions, 1) House rules shall inform guests that overnight parking may be prohibited at the Dorsey Park Public Parking Lot for snow removal or other reasons 2) applicant shall apply for a Short-Term Rental Permit pursuant to §106-104.3 Short Term Rentals, 3) camping shall not be permitted, 4) the Short-Term Rental Permit and a copy of the house rules in conformance with §106-104.3.K shall be displayed in the dwelling unit in a location that is easily visible and noticeable to guests, 5) post on or about the inside of the front room or main door of each dwelling unit a card listing emergency contact information and house rules, 6) comply with Village Code Chapter 188. Peace and Good Order, with respect to noise, 7) comply with the maximum occupancy limits that will be established by the Code Enforcement Officer, 8) parking shall be allowed solely in approved spaces, 9) rental arbitrage shall not be permitted, 10) the owner shall be responsible for all refuse and garbage removal in conformance with §106-96 of the Village Code, and 11) compliance with the signage requirements of §106-104.3 Short Term Rentals, by Domenico, seconded by Reilly.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, project approved.

C. Application of: Felicia Spence, Special Use Permit for a Short-Term Rental, 498 Forest Hill Ave.

Mike Spence, applicant, introduced himself to the Board and noted that garbage pick-up is done privately and that parking in the driveway is typically not an issue. He added that there is room for eight vehicles.

Pelletieri went through potential conditions including that parking shall be allowed solely in the approved spaces and that the driveway is shared with the adjoining property owner.

Weber clarified that in their history of operating there haven't been any issues with driveway parking.

Spence stated that is correct.

Motion to issue a negative declaration for purposes of SEQR by Weber, seconded by Reilly.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, 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 Cantwell-Jackson, seconded by Pelletieri.

Pelletieri asked for a Roll Call Vote.

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

Motion to approve Special Use Permit for a Short-Term Rental with the following conditions, 1) parking shall be allowed solely in the approved spaces 2) applicant shall apply for a Short-Term Rental Permit pursuant to §106-104.3 Short Term Rentals, 3) camping shall not be permitted, 4) the Short-Term Rental Permit and a copy of the house rules in conformance with §106-104.3.K shall be displayed in the dwelling unit in a location that is easily visible and noticeable to guests, 5) post on or about the inside of the front room or main door of each dwelling unit a card listing emergency contact information and house rules, 6) comply with Village Code Chapter 188. Peace and Good Order, with respect to noise, 7) comply with the maximum occupancy limits that will be established by the Code Enforcement Officer, 8) rental arbitrage shall not be permitted, 9) the owner shall be responsible for all refuse and garbage removal in conformance with §106-96 of the Village Code, and 10) compliance with the signage requirements of §106-104.3 Short Term Rentals, by Domenico, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, project approved.

D. Application of: Cheryl Braunstein, Special Use Permit for a Short-Term Rental, 254 Kiwassa Rd.

Weber stated that there is enough space to accommodate parking on site and referenced the letter that was submitted as public comment.

Pelletieri stated that the applicant is aware of the on-street parking situation.

Reilly stated that in the application they state that they do not permit any street parking.

Motion to issue a negative declaration for purposes of SEQR by Reilly, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, 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 Reilly, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

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

Motion to approve Special Use Permit for a Short-Term Rental with the following conditions, 1) applicant shall apply for a Short-Term Rental Permit pursuant to §106-104.3 Short Term Rentals, 2) camping shall not be permitted, 3) the Short-Term Rental Permit and a copy of the house rules in conformance with §106-104.3.K shall be displayed in the

dwelling unit in a location that is easily visible and noticeable to guests, 4) post on or about the inside of the front room or main door of each dwelling unit a card listing emergency contact information and house rules, 5) comply with Village Code Chapter 188. Peace and Good Order, with respect to noise, 6) comply with the maximum occupancy limits that will be established by the Code Enforcement Officer, 7) parking shall be allowed solely in approved spaces, 8) rental arbitrage shall not be permitted, 9) the owner shall be responsible for all refuse and garbage removal in conformance with §106-96 of the Village Code, and 10) compliance with the signage requirements of §106-104.3 Short Term Rentals, by Weber, seconded by Pelletieri.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, project approved.

E. Application of: Aubuchon Realty Co. Inc., Area Variance for front yard setback along Cedar St., and the request for a waiver of § 106-48. D, 258 Broadway

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, 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 Domenico, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

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

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, project approved.

Motion to approve request for waiver by Reilly, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, yes; and Pelletieri, yes. All in favor, waiver approved with condition that the applicant is to secure a building permit within eighteen months.

F. Application of: Colleen Gowan, Minor two-lot subdivision, 9 Ridge Way

Domenico asked about any existing easements on the property.

Alan Latourelle, surveyor for the project, stated that the plan is to maintain all access to the water and sewer laterals with the potential for a temporary easement for the new parcel until that site is more developed.

Rogers stated that it is within reason for the Board to place a condition on approval for a future Site Plan Review on that new lot. He also stated that within the Code, land locked parcel are not allowed and that the easement to a driveway access must be in place.

Latourelle stated that it is a flag lot and he doesn't see any issues with future building and proposed setbacks as prescribed in the Code.

Pelletieri stated that he is comfortable with that and with the deed reflecting the Site Plan Review condition.

Motion to issue a negative declaration for purposes of SEQR by Reilly, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, 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 Domenico.

Pelletieri asked for a Roll Call Vote.

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

Motion to approve minor two-lot subdivision by Domenico, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Domenico, yes; Reilly, yes; Cantwell-Jackson, no, with reason that adding a condition to the deed that whoever tries to develop on the lot will have to go in front of the board for a site plan approval, further, a site plan is a required sheet in an architectural set that will depict site conditions, setbacks, neighbors lots lines etc. and on any other building project, should it fall within compliance to the lot setbacks, the Code Enforcement Officer (CEO) would not flag it as long as project is within site setbacks, additionally, deeds are not a required submittal to the CEO for a building permit; and Pelletieri, yes. Majority in favor, project approved with condition that applicant add to their deed that any future development on the subdivided lot must be subject to Site Plan Review.

III. OLD BUSINESS

IV. NEW BUSINESS

V. ADJOURNMENT

Motion to adjourn the meeting by Domenico, seconded by Weber.

Meeting was officially adjourned at 7:04pm.

Meeting Minutes prepared by Cassandra Hopkins, Administrative Assistant