



# Village of Saranac Lake

Community Development Department

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## DEVELOPMENT BOARD MEETING MINUTES 5:00PM TUESDAY, JANUARY 2, 2024

### ATTENDANCE

#### Development Board Members:

Elias Pelletieri, Chairperson, Present

Rick Weber, Present

Meg Cantwell-Jackson, Present

Bill Domenico, Present

Dan Reilly, Present

Tim Jackson, Alternate, Present in a non-voting capacity

### I. APPROVAL OF MINUTES

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

Motion to approve December 5, 2023 Regular Meeting Minutes by, Meg Cantwell-Jackson, seconded by Pelletieri.

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, yes; Bill Domenico, yes; Pelletieri, yes; Rick Weber and Dan Reilly, abstain due to not being present at the meeting. Majority in favor, meeting minutes approved.

### II. ITEMS FOR BOARD ACTION

#### 1) Public Hearings

##### A. Public Hearing for the Application of: Gabriela Fowler, Special Use Permit for a Short-Term Rental, 38 Riverside Dr.

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing opened.

No public comment made.

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing closed.

##### B. Public Hearing for the Application of: Marla Duffy, Special Use Permit for a Short-Term Rental, 48 Tara Dr.

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing opened.

Leigh Walrath, neighbor at 14 Lakeview Ter., stated support.

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

Pelletieri asked for a Roll Call Vote.

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

**C. Public Hearing for the Application of: Christopher and Katherine Kolozvary, Special Use Permit for a Short-Term Rental, 5 Harbor Hill Ln.**

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing opened.

No public comment made.

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing closed.

**D. Public Hearing for the Application of: Jake and Soph, LLC, Special Use Permit for a Short-Term Rental, 101 Margaret St.**

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing opened.

No public comment made.

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing closed.

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

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing opened.

Mary Bartel, neighbor at 238 Broadway, stated she is here tonight to see what the plans are and what the variance is for. She shared that her property looks at the site and would like to see it done well.

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

Pelletieri asked for a Roll Call Vote.

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

All in favor, public hearing closed.

**2) Board Action**

**A. Application of: Gabriela Fowler, Special Use Permit for a Short-Term Rental, 38 Riverside Dr.**

Pelletieri read aloud a statement from the applicant, Gabriela Fowler, that described the operations and history of the property. He then reviewed any items that were listed as outstanding in the staff report for this project.

Katrina Glynn, Community Development Director, stated that moving forward, final occupancy numbers will be presented to the Board after working with the applicants and the Code Enforcement Officer.

Domenico asked for clarification on what the Code Enforcement Officer sees of these applications.

Glynn confirmed that information presented to the Code Enforcement Officer comes from STR application requirements and that she plans on working with the applicants to get those to him sooner.

Weber stated that there should be a trigger to come back to Katrina and Chris McClatchie if that occupancy is proposed to change.

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

Pelletieri asked for a Roll Call Vote.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, 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) the 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) Occupancy to be set by Code Enforcement Officer, by Weber, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

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

**B. Application of: Marla Duffy, Special Use Permit for a Short-Term Rental, 48 Tara Dr.**

Pelletieri read aloud a statement from the applicant, Marla Duffy. He asked for clarification on the number of units that are short-term rented.

Duffy stated that there is just one unit, that is the three-bedroom house. She and her husband live on site in the garage unit.

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

Pelletieri asked for a Roll Call Vote.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, 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) the 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) Occupancy to be set by Code Enforcement Officer, by Reilly, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

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

**C. Application of: Christopher and Katherine Kolozsvary, Special Use Permit for a Short-Term Rental, 5 Harbor Hill Ln.**

Christopher and Katherine Kolozsvary, applicants, addressed the Board to share the history of the property and that they maintain it as a home that they use occasionally, but otherwise rent out to guests.

Weber asked about the parking on site.

Pelletieri stated that for the cottage, Noonmark, there is parking on Harbor Hill Ln. which is a private road.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, 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: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, 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) the 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) Occupancy to be set by Code Enforcement Officer, by Domenico, seconded by Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

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

**D. Application of: Jake and Soph, LLC, Special Use Permit for a Short-Term Rental, 101 Margaret St.**

Jacob Agostino, applicant, stated that there are two fully renovated units and that he lives in a third unit on site.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, 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: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, 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) the 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) Occupancy to be set by Code Enforcement Officer, by Weber, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

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

**E. Application of: Sara-Placid Sled & Spoke, LLC, Amendment to Special Use Permit, 255 Broadway**

Pelletieri addressed the applicant regarding the building, as proposed, straddles the property line and the potential for a variance for the setback requirements, side or front, if the applicant moves the building off of the property line.

Reilly asked if the shed is temporary.

Duffy answered the question about fastening that to the lot.

Weber stated his hesitation to approve without all one comprehensive site plan, one lot, one package to look at. He asked how they would rejoin this as one project in the future without that, as they are looking at parking and not the full storage capacity.

Domenico stated that all projects before the Board typically show those elements of a Site Plan and that a three-year revisiting of this business is a good timeline to stick to as the business will evolve.

Duffy stated that the larger storage building is part of the plan to make the business work better and keep up the aesthetics on that side of the lot.

Weber stated that they are essentially approving the small building and the indoor/outdoor storage of machines.

Duffy stated that with this, they are able to operate and that he plans to be back in February.

Pelletieri stated that he is in favor of keeping the check-back period to three years.

Motion to approve amendment with the following conditions, 1) receipt of approval from Franklin County Planning or expiration of the thirty-day period, 2) no fueling will be permitted on site, 3) minor repairs are permitted, 4) a minimum of one fire extinguisher shall be carried in company vehicles, 5) Amish-style shed structure to be placed within footprint provided it meets setbacks, 6) parking for cars or up to twenty snowmobiles on 15 Ampersand, LLC property, and 7) approved for a period of three years, at which time applicant to request for an extension within sixty days of expiration, by Reilly, seconded by Pelletieri.

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, yes; Reilly, yes; Domenico, no due to not enough information being presented by the applicant at this time; Weber, yes; and Pelletieri, yes. Majority in favor, amendment approved.

**F. Application of: Aubuchon Realty Co. Inc., Area Variance for parking in the front yard along Cedar St., 258 Broadway.**

Caryn Mlodzianowski, project manager, Bohler Engineering, addressed the Board to state that they have gone back to the drawing board to continue to improve on the site as part of the rebuild and with the variances already granted by this Board. She stated that the front yard setback to set the building out of the right of way is in this plan and that the team has

been working with the NYS DOT feedback to design the site according to that feedback, while maintaining pedestrian access to all areas of the site. She stated that the current design looks at utilizing those eight to ten spaces in the front yard on the Cedar St. side of the building. She pointed to a slight change in the building layout that the Aubuchon storefront and the tenant's storefront have been swapped. She demonstrated the delivery vehicle access to either side of the building. She pointed to the proposed trash enclosure in the back area along the side of the tenant's side of the building and Aubuchon's. She added that shifting this building over and the foot print allows for more grading in the low spot on the site. She added that in their team's experience of DOT's reviews, it is typical for the feedback to want less curb cuts and more access points on those side streets.

Pelletieri stated that the pedestrian access doesn't look to be as it was and he is not in favor of it with such a narrow, busy street.

Mlodzianowski stated that they are looking to ensure there is accommodation of all vehicle sizes entering this lot. She stated that the variance for tonight is that parking row in the front yard.

Domenico stated that his preference, if there has to be two entrances onto the site, is to use Keene St. as that seems to be the safer option of the two; Keene St. and Cedar St.

Weber asked about the total amount of the existing foundation that they anticipate to use.

Mlodzianowski stated that roughly fifty percent will be used, but that the structure there now will all be removed.

Weber stated that he sees the entry way as changeable and due to concerns expressed here tonight, he does not favor that Cedar St. access.

Reilly stated he doesn't have anything else to add other than the team seems to be sticking to that impervious surface variance 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: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, 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: Cantwell-Jackson, yes; Reilly, yes; Domenico, yes; Weber, yes; and Pelletieri, yes. All in favor, declaration moved.

Motion to approve Area Variance by Reilly, seconded by Domenico.

Pelletieri asked for a Roll Call Vote.

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

Motion to declare that the Village will apply to be the lead agency on SEQR Review, by Domenico, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

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

### **III. OLD BUSINESS**

Domenico reminded the Board of a standalone structure that was brought to his attention on Kiwassa Rd. Glynn to look into this further and report back to the Board. The Board discussed regulations and enforceable design standards in the Development Code.

### **IV. NEW BUSINESS**

### **V. ADJOURNMENT**

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

Meeting was officially adjourned at 8:12pm.

Meeting Minutes prepared by Cassandra Van Cott, Administrative Assistant