



Village of Saranac Lake

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DEVELOPMENT BOARD MEETING MINUTES

March 7, 2023 5:00pm

ATTENDANCE

Development Board Members:

Elias Pelletieri, Chairperson, Present

Adam Harris, Present

Rick Weber, Present

Paul Herrmann, Present at 5:04pm

Meg Cantwell-Jackson, Present

Bill Domenico, Alternate, Present until 6:45pm

Dan Reilly, Alternate, Excused

I. APPROVAL OF MINUTES

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

Motion to approve February 21, 2023 Regular Meeting Minutes by Meg Cantwell-Jackson, seconded by Rick Weber.

Pelletieri asked for a Roll Call Vote.

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

II. ITEMS FOR BOARD ACTION

1) Application of: Allott, Area Variance, 644 Lake Flower Avenue

Jamie Konkoski, Community Development Director, stated that the requested variance is for parking on the parcel. Referencing the Site Plan, she stated that the applicant plans to create gravel parking areas and is requesting a variance for the off-street parking spaces due to those spaces being located in the front yard. She noted the curving stone wall at the back of the parcel with a sloped, wooded area as not being feasible for parking.

Pelletieri read through the considerations that the Board must weigh with a variance request. Motion to open the public hearing by Weber, seconded by Paul Herrmann.

Pelletieri asked for a Roll Call Vote.

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

Harris stated that he is a non-voting board member for this project.

Kevin Scheuer, neighbor at 128 Turtle Pond Rd., addressed the Board to voice his concern over the application's lack of delineated water and sewer lines, and egress/ingress, among other items that he stated makes this an incomplete application. He questioned the process for notifying neighbors, informed the Board that work on the site had already begun including signage, and stated that he intends to take the time to formulate a more comprehensive written response to submit to this Board. He asked that the Board not move to decide on the approvals requested by the applicant, at least not tonight.

Annette Scheuer, neighbor at 128 Turtle Pond Rd., stated that she sees significant traffic and safety concerns with this development. She stated that the residential neighborhood is home to children and is relatively safe, but that traffic from Rt. 86 has always been a concern and additional vehicle/foot traffic at the end of Turtle Pond Rd. will only exacerbate it. She stated that she is in support of the efforts to clean up the Motel.

Pelletieri asked for any other public comment. He read aloud the written comments submitted by neighbors Richard and Diane Rhodes at 142 Turtle Pond Rd., and by Ken and Linda Cosby at 154 Turtle Pond Rd. Those written comments are made part of these minutes. He noted that the Site Plan Review, which is the application that details the new pavilion and other on site features, is not what the Board is weighing in on right now. He stated that this is for the Area Variance request for an exemption to the parking requirements in the Code.

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

Pelletieri asked for a Roll Call Vote.

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

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

Pelletieri asked for a Roll Call Vote.

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

Herrmann asked for clarification about the boundary of the parcel.

Pelletieri described the parcel that this approval is for.

Konkoski stated that it is the intent of the applicant to, on the eastern part of the parcel, create a loading and unloading gravel area.

Pelletieri stated that this will create some traffic on Turtle Pond Rd.

Herrmann asked about any direct access from Rt. 86.

Pelletieri stated that there will be some access from the state route. He noted that there will need to be, especially if this is a future site for servicing portable bathrooms on the site.

Herrmann asked if this parcel and the adjacent one (to the west) are commercially zoned.

Konkoski stated yes.

Cantwell-Jackson asked if it was possible to cut through at the very front of the parcel, as a way to alleviate traffic concerns on Turtle Pond Rd.

Konkoski stated that regardless of the cut through area, this parcel does have three front yards so a variance will need to be requested for that type of development.

Domenico stated that he is having trouble understanding the intended use of the parcel in terms of establishing a need for how many designated parking spaces are actually appropriate on the site.

Pelletieri stated that he sees a total of twelve spots on the more western section of the parcel, and that the other side of the parcel is just a loading and unloading area.

Domenico stated if the overall use is relatively low impact, perhaps a reduction in the number of designated spaces is appropriate to ask of the applicant.

Weber stated that he does hear the public input about relevant safety concerns, and that the Site Plan Review is challenging to separate from this variance request. He stated that the need for a variance, if parking is to be included on the site, is absolute as conforming to the Code does not appear possible.

Konkoski stated that this is a parcel with three front yards, parking will be in the front yard if it is included on the Site Plan, which it is. She stated that the Board can move forward with an approval and place conditions for the applicant, or, that the Board can deny or table an application. She stated that a curb cut along the Rt. 86 boundary will require permission from NYS DOT.

Weber stated that access from the Turtle Pond Rd. is the best option.

Cantwell-Jackson suggested putting parking on one side only.

Konkoski stated that the criteria for variance requests is to grant the minimum variance that the Board deems as necessary.

Weber stated in terms of the numerical value of parking spaces, with the knowledge that the intended use is for groups to use the pavilion, it is difficult to engineer the number of spaces for that use.

Konkoski stated that the Board will have 62 days to make a decision after the close of the public hearing for this area variance request.

Herrmann stated that the Board should not decide a new project for the applicant without the applicant being present. He asked about the timing coming back, for the applicant and for the Board. Domenico stated that it may just be an adjustment of the number of parking spaces from twelve to eight. He stated that he recalls the applicant at least stating that the pavilion will not be used for a wedding.

Pelletieri stated that a writing group was mentioned by the applicant.

Herrmann asked about the public access to Turtle Pond.

A. Scheuer shared details on public access as it exists now.

Domenico stated that he is not comfortable moving forward unless there is more information provided, a justification for the amount of parking spaces or a better-defined intended use of the parcel.

Pelletieri asked for other Board members' input on moving forward or not.

Weber stated that he is also looking at the sequence of approvals, with this request being tied to the Site Plan Review that is on a different timeline for the date-to-make-a-decision by.

Konkoski stated that it is also 62 days from the close of the public hearing, on the 21st of February.

Domenico stated that it is also appropriate to inform the applicant about the concerns voiced here tonight.

Pelletieri stated that the applicant will be informed.

The Board decided to table any decision on this project until a later meeting date.

Konkoski will reach out to the applicant about attendance at a future meeting, and about identifying water and sewer on the parcel.

Motion to table the area variance application request and the Site Plan Review, and to suspend the clock, until the April 4th meeting by Domenico, seconded by Herrmann.

Pelletieri asked for a Roll Call Vote.

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

2) Application of: High Peaks Church, Site Plan Review, 97 Will Rogers Drive

Pelletieri introduced the project and asked the Community Development Director for the explanation on the discussion, and not 'board action,' this evening.

Konkoski stated that due to the required development referral to Essex County, this Site Plan Review will be on the Development Board's April agenda for approval, and that the preliminary review by the Board will take place tonight.

Dan Ryan introduced himself as a representative for the project applicant this evening. He stated that he is here to answer questions, but that first perhaps it would be good to have the project's architect walk the Board through a few of the project's elements.

Gary McCoula, architect, stated that the applicant, the High Peaks Church, has been in need of an expansion for a while, and that the space was available at the site and that he has been working with the applicant on the Site Plan, elevations and other project materials. He stated that the addition to the existing church structure will be ADA compliant and will almost double the current capacity. He demonstrated on the Site Plan where the walkways and delineated parking spaces will be.

Ryan, engineer, stated that the existing building is a non-conforming use and that they have started the process for APA review. He stated that the application was triggered by the existing non-conforming height of the building, and will include all new amenities and site improvements. He stated that the SWPPP has been submitted, and that of the 4.6 acres involved in this project, the impervious surface is roughly ten percent. He stated that the plans meet all setback requirements, steep slopes, and that in his correspondence with Konkoski, the applicant has noted (as a response) that the building's outdoor trash receptacle is located on an adjacent parcel as it is a shared service, that they will be including bicycle parking, and that McCoula has brought color and material samples.

McCoula shared all color and material samples with the Board.

Weber asked if SHPO had seen the revised design.

McCoula stated yes, and that the agency had requested justification for the building's positioning. He stated that no portion of the façade will be mashing.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Cantwell-Jackson, yes; Herrmann, yes; Harris, yes; and Pelletieri, yes.

All in favor, public hearing opened.

No public comment at this time.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Cantwell-Jackson, yes; Herrmann, yes; Harris, yes; and Pelletieri, yes.

All in favor, public hearing closed.

Weber asked for clarification on the stormwater management area.

Ryan stated that there is a grading plan in the project materials (C3) and that the erosion/stormwater plan is appropriate for the soils in the area. He stated that there will be a collection of catch basins and an additional enclosure to capture runoff from up top that will be piped down, and that the idea is to capture all roof runoff in this area.

Herrmann asked about the property ownership.

Ryan stated that the Essex County IDA owns a parcel, Alpine Adirondack Assoc. LLC owns a parcel and that High Peaks Church is the third owner involved and the project applicant.

Pelletieri noted that the project will be good and that the materials presented were complete.

Konkoski stated that when the applicant comes back before the Board for approval, there may not be need for conditions dependent on what is to be decided tonight.

Ryan demonstrated on the Site Plan where the bicycle parking will be located.

Konkoski asked for a Board response on the potential condition to require the review and approval of the submitted SWPPP by a professional engineer retained by the Village.

Pelletieri stated that the document he looked at was complete. He stated that the engineer is here tonight to answer any questions on the SWPPP.

Konkoski stated that it is the Board's call.

Ryan stated that on behalf of the applicant, this is another expense for an already expensive project.

Weber asked if the applicant will be sharing this with the NYS DEC.

Ryan responded that yes, they will be.

Pelletieri stated that they will see them back here in April.

Konkoski stated that the Essex County Planning Board meets on the thirteenth of the month and that hopefully she will have a response not long after that.

III. OLD BUSINESS

- 1) Public Hearings for Site Plan Amendments- Konkoski stated that it is up to the Board to decide on whether or not amendments to already approved Site Plans rise to the level of a public hearing, which involves public notification.

Weber stated that he would weigh whether or not the proposed amendment is a substantial change. He stated that he sees a need for a clear timeline moving forward with the potential for that public notification process.

Pelletieri asked what was required of applicants seeking a Site Plan amendment in the past.

Konkoski stated that it is not clear that there was a uniform approach to this.

Harris stated that while the discretion is with Konkoski and the Board, and they can approach this on a case-by-case basis, that the Board has seen a lot of big projects seeking Site Plan amendments lately, like the new hotel and the brewery.

Konkoski clarified that she has discretion for minor changes.

Weber suggested to go to a uniform approach to keep it simple.

Harris stated no matter what, they can require a public hearing for the amendments.

- 2) LWRP consistency review for Development Code Amendment for Public Safety Facilities. Konkoski stated that this is the next step in the process of the Code amendment that this Board had made a recommendation to the Village Board of Trustees for. She stated that the amendment has been referred to the Essex County Planning Board and that the Board of Trustees is holding public hearings on the proposed change to the Code. Herrmann clarified that this step is no different from what they did for the Cannabis Use Code amendment. Konkoski stated correct, that this is a requirement for any amendment to the Code. Motion to find the amendment in conformance with the LWRP policy standards and conditions by Harris, seconded by Weber. Pelletieri asked for a Roll Call Vote. Roll Call: Weber, yes; Cantwell-Jackson, yes; Herrmann, yes; Harris, yes; and Pelletieri, yes. All in favor, declaration moved.

IV. **NEW BUSINESS**

The Board reviewed a memo with some potential discussion questions, along with the Village Board's Resolution to begin the process for seeking advisory comments and obtaining public comment on a proposed law to regulate short-term rentals under the Village's Development Code and the subsequent draft law.

Pelletieri led the Board through a 'line-by-line' look at the draft law.

- Section 6: Supplemental Standards, language for the process for pre-existing STR's includes the word, 'shall' in the context of the Board shall approve pre-existing STR's with or without reasonable conditions on that approval to address impacts.
- Section 5: The Board identified that the language in the Code should match the language in the local law for the definition of a 'dwelling unit' or vice-versa
- Section 6: Supplemental Standards, The Board would like to see more guidance, legal-guidance, on what they may impose as a condition of an approval
- Section 6: Supplemental Standards, The Board would like to more clearly define roles and discuss the alternatives to the proposed use of a Special Use Permit as a means to achieve regulation on STRs

The Board determined that an additional work session, set for Thursday, March 16th at 4:00pm, will be necessary to complete the review of the draft law and submit their advisory comments as a group to the Board of Trustees.

Konkoski to contact the Board of Trustees for explanations to some of the questions that arose tonight. She will reach out to the Board with updated materials before the work session.

V. **ADJOURNMENT**

Motion to adjourn the meeting by Herrmann, seconded by Harris.

Pelletieri asked for a Roll Call Vote.

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

Meeting was officially adjourned at 8:30pm.

Meeting Minutes prepared by Cassandra Hopkins, Administrative Assistant.

As owners of a home at 142 Turtle Pond Road, we are very concerned by the request for a variance for the property located on NYS Route 86 between both entrances of Turtle Pond Road. This is a quiet residential area that would see both of its entrances/exits impacted by increased traffic. According to the description, landscaping would separate the area from NYS Route 86 to make it appealing to those who drive by and limit the view into the parking area. However, we do not believe this benefit overrides the detriment to the residents of the Turtle Pond area who would have to contend with the increase in traffic at the entrances/exits to the neighborhood. There is no exit for traffic within the Turtle Pond loop, so at this time, the reasons for entering this area are to access the homes by residents and service providers. However, it appears that the proposed variance would increase traffic entering and exiting both Turtle Pond Roads to access the parking areas. The proposed plan also has the potential to increase traffic by vehicles and pedestrians crossing from Traverse Lodge across one Turtle Pond entrance through the proposed gravel parking and pavilion area and across the second Turtle Pond Road to access the sheds for storage, rental, and repairs of biking and ski equipment.

Our further concerns regard the use of the pavilion. Although it is proposed to be located at a distance removed from NYS 86, that places it even closer to the residences. The noise from cars, retail and rental customers, people using the repair station, and those who access the pavilion could be disruptive to the residents of Turtle Pond Road accustomed to a very quiet and tranquil community. We have a concern that Traverse Lodge guests or others assuming the pavilion is for public use also may use the area at night and be loud. From experience with former motel guests, we know the sounds from music and voices carry easily into the neighborhood. With references to bicycles and ski equipment, this would appear to be a change that would be constant throughout the year. The additional proposal of this area becoming a possible location for a seasonal outside food vendor also sparks concern for increased noise, traffic, safety, and upkeep.

As one approaches from the east, the Welcome to Saranac Lake Capital of the Adirondacks sign is on the right and the green space between the Turtle Pond entrances and the quaint Traverse Lodge are on your left before entering a fully commercial area. This is the last green space for a distance creating concerns for its loss and increased noise, traffic, and road safety issues to the detriment of the current residents without offering them anything of significant value by placing this business at this location. For the above reasons, we are opposed to this variance.

Sincerely,
Richard and Diane Rhodes

From: klc0s@att.net
Sent: Sunday, March 5, 2023 7:11 PM
To: Cassandra Hopkins
Subject: Stacey Allot, Site Plan Review

Dear Development Board:

We have concerns about the building proposals at Tax Map Parcel #32.296-2-8. These changes could cause congestion to the ingress and egress of our neighborhood. We are concerned for how these changes will affect the appearance into the neighborhood. We also hope there will not be any tree removal associated with these changes.

Sincerely,

Ken and Linda Cosby
154 Turtle Pond Road
Saranac Lake, NY 12983
Phone: 405-831-3068

From: Kenneth Cosby <klcos@att.net>
Sent: Sunday, March 5, 2023 6:51 PM
To: Cassandra Hopkins
Subject: Stacy Allott, site plan review

We have concerns on the upcoming building proposals by Stacy Allott
664 Lake Flower Ave.

These changes could cause congestion to the ingress and egress of our neighborhood.
We are concerned for the appearance of the entrances and structures proposed.
We also hope there will not be any tree removal.

Sincerely,

Ken and Linda Cosby
154 Turtle Pond Road
Saranac Lake, NY 12983
405-831 3068