

Village of Saranac Lake

Community Development Department

39 Main Street, Suite 9 Saranac Lake, NY 12983-2294

Phone: (518) 891 – 4150 Fax: (518) 891 – 1324 Web Site: www.saranaclakeny.gov

DEVELOPMENT BOARD MEETING MINUTES September 5, 2023

5:00pm

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 July 11, 2023 Regular Meeting Minutes by Rick Weber, seconded by Meg Cantwell-Jackson.

Pelletieri asked for a Roll Call Vote.

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

II. ITEMS FOR BOARD ACTION

1) Application of: Aubuchon Realty Co Inc, Area Variance, 258 Broadway

Pelletieri introduced the approvals sought tonight for an area variance for the side yard setback for the project and an area variance for the total impervious surface coverage. He asked the applicant for an overview of the proposed project.

Matthew Bombaci, representative for Aubuchon Realty Co., introduced himself and two other representatives present (via Zoom) for the project, Eamon Moran and Mike Sambuceti. He stated that the site is to be repaired and redeveloped with a plan to finish demolition of part of the existing building and reconstruct and replace a portion by adding onto parts that may be salvaged. He used a concept plan to demonstrate to the Board where the proposed parking, entrances/exits, loading areas, sidewalks and new extension of the building will be. He stated that the side yard setback variance request is from the existing 15ft. to reduce down to 12ft. to continue the building line with that new build portion. He added that the impervious surface variance is for all of the pavement and gravel area coverage and that this is maintenance to an existing condition with no major impact to the neighboring properties. Eamon Moran, President of Aubuchon Realty Co., reiterated some of the importance of a significant rebuild of the site after the fire earlier this year.

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

Pelletieri asked for a Roll Call Vote.

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

No public comment was made.

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

Pelletieri asked for a Roll Call Vote.

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

Pelletieri stated that with the impervious surface variance, if that is granted now, it just means that down the road the Board will have to pay attention to the stormwater

management plan details submitted by the applicant.

Domenico stated that, as presented, he sees opportunities for the applicant to meet those impervious surface requirements within that concept plan. He also asked about the proposed access off of Keene St.

Pelletieri asked if this is for just the building or the entire lot of what comprises that impervious surface request.

Reilly stated it's the whole lot. He asked if both Cedar St. and Keene St. will have access. Matthew Rogers, Development Code Administrator, stated that the southern access point is to be closed to just have one ingress and egress location. He stated that the impervious surface coverage is interpreted to mean all surfaces, but not including the building, as building overage is separate at 40%. He added that the applicant will be required to prepare a stormwater management plan as part of the site plan and special use permit application process.

Bombaci stated that there will not be access onto Cedar St. He stated that as part of the formal site plan preparations, they plan to look at stormwater measures. He stated that the existing and the proposed impervious surface is the same.

Domenico asked if the proposed Keene St. access will be paved.

Bombaci stated correct.

Rogers clarified that there is nothing proposed for access to Keene St. and the only access is from Broadway.

Moran stated that the concept plan does contemplate a new access off of Keene St. to assist better traffic flow on the site.

Weber asked the Development Code Administrator if that 9% increase in impervious surface is not seen as a substantial increase and if proceeding with the area variance is premature to not seeing that stormwater management plan.

Rogers stated that the impervious surface calculations reflect that the total area current and proposed are approximately the same. He stated that the request for relief from the Code is required because the existing and proposed impervious surface exceeds the 30% maximum. He stated that without a full site plan and stormwater management plan we are not able to say exactly how all future stormwater will be addressed. He stated that his recommendation for approval comes from the total impervious surface area remaining unchanged.

Weber asked if there is more concern that comes up about the stormwater management and environmental effects, if the Board can review that plan under a new site plan as opposed to redevelopment standards.

Rogers stated yes and that if there are concerns when it comes to review, a third party may conduct a review of the SWIPP as well. He stated that this may be made a condition if there is concern.

Reilly suggested allowing the impervious surface variance with a provision to make sure those calculations are accurate for the stormwater management plan.

Domenico stated he is having a hard time separating out the impervious surface decision from the stormwater management plan and the concept plan as presented does have opportunity to reduce that total impervious surface.

Cantwell-Jackson suggested the percentage lost from eliminating the impervious surface on the triangle on the site (by the Rail Trail).

Reilly asked about processes if the impervious surface variance was tabled for today. Rogers stated that some communities do run their variance decisions and review of a site plan concurrently. He stated that the Board may table this and reopen a hearing in the future.

Moran stated that the applicant is seeking a variance in the interest of dictating how that site plan can be drawn up. He asked the Board for any clarification on what they may still be concerned with.

Domenico stated he still sees opportunity to reduce total impervious surface on the site. Weber stated that the granting of the variance is lost and we will have to deal with it in the site plan.

Reilly stated that Board ought to look at this granting as a conditional that still can meet standards.

Pelletieri stated that he is okay with moving forward tonight.

Weber asked about a condition regarding the access to Keene St. that is included in the concept plan, as it relates to impervious surface.

Cassandra Hopkins, Administrative Assistant, read back the possible conditions to the Board regarding impervious surface. She stated that the Board discussed that the applicant revisits

the impervious surface total due to potential removal of access to Keene St. and applicant make sure the submitted stormwater management plan is done to completion before a special use permit approval.

Weber stated that by separating out that stormwater management plan from this approval, it is not of great concern and what the Development Code Administrator interpreted to be not substantial for impervious surface lot coverage, he feels comfortable approving with those conditions.

Mayor Jimmy Williams stated that BluSeed Studios, the neighboring property, saw lots of water on their site in times of heavy rain and excess water, but that just may be a result of the Cedar St. storm drain.

Weber reiterated to the applicant the strong concerns, even with the approval on the table tonight, for reducing total impervious surface coverage where possible.

Pelletieri suggested moving onto the area variance approval for side yard setback. He stated that the property will be improved by that new extension of the building.

Domenico stated that the part of the site will be much improved and he has no issue with this variance.

Pelletieri read Development Code Section 106-48 on restoration about the rebuilding in a footprint if destroyed shall be rebuilt to meet the setback and asked the Development Code Administrator if they can allow this nonconforming building.

Rogers stated that this project encompasses part of the building that was not destroyed and is still there and so will be left in place. He stated that it is a pre-existing nonconforming building that doesn't warrant discussion.

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

Pelletieri asked for a Roll Call Vote.

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

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Cantwell-Jackson, yes; Domenico, abstain due to not having the full picture of the project; Reilly, yes; and Pelletieri, yes. Majority in favor, declaration moved. Motion to approve area variance for total impervious surface with the following conditions, 1) total impervious surface to be revisited once the site plan details are completed, and 2) the stormwater management plan will be done to completion before the special use permit is approved by Cantwell-Jackson, seconded by Pelletieri.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Cantwell-Jackson, yes; Domenico, abstain due to not having the full picture of the project; Reilly, yes; and Pelletieri, yes. Majority in favor, area variance for total impervious surface approved.

Motion to approve area variance for side yard setback by Cantwell-Jackson, seconded by Weber.

Pelletieri asked for a Roll Call Vote.

Roll Call: Weber, yes; Cantwell-Jackson, yes; Domenico, yes; Reilly, yes; and Pelletieri, yes. All in favor, area variance for side yard setback approved.

III. OLD BUSINESS

IV.NEW BUSINESS

Discussion on the Development Board recommendation to Village Board on proposed Development Code zoning change to Schedule 1 by adding amusement and recreation services as an allowed use to district C3 that was handed to this Board to make that recommendation after an application was submitted.

Pelletieri stated that it seems this use is allowed across Schedule 1.

Williams stated that there was a call put out for public comment on this potential change to allowed uses and nothing was received.

Pelletieri noted that it would be good for the Village to work together with the potential on that site given the athletic fields being constructed. He asked members of the Development Board which approval level seems appropriate to ask for.

Domenico stated that in looking across most districts that do allow this use, a special use permit is

used, and that would seem logical to require here too.

Reilly stated he agrees.

Weber stated that the special use permit is reasonable to expect for this district.

Cantwell-Jackson stated that she agrees and that special use permit makes sense.

Pelletieri took a roll call vote that the Development Board make the recommendation to the Village Board on proposed Development Code zoning change to Schedule 1 by adding amusement and recreation services as an allowed use to district C3. All Development Board members are in favor of the recommendation.

V. ADJOURNMENT

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

Meeting was officially adjourned at 6:58pm.

Meeting Minutes prepared by Cassandra Hopkins, Administrative Assistant