

Minutes of the Town of Lake George Planning Board Meeting held on March 4, 2014 at 6:00 p.m., at the Town Center, Old Post Road, Lake George, New York.

Members Present: Sean Quirk, Acting Chairman
Curt Dybas
Kevin Mulcahy
Patricia Marek
Grant Gentner

Members Absent: Keith Hanchett, Chairman

Also Present: Keith Osborne, Adele Behrmann, Karen Hanchett, Jon Lapper, Esq., David Colomb, Howard Nadler and others.

The meeting is called to order by Chairman Quirk at 6:05 p.m.

Acceptance of Minutes:

A motion is introduced by Kevin Mulcahy; seconded by Patricia Marek to accept the minutes of January 7, 2014 with a correction to be made on page 2 on Kevin Mulcahy's comments where he says that "I believe that we don't reinforce the County's regulations for 120 sq. ft." and it should say:

- I believe that the County doesn't regulate this type of building under 120 ft.

Kevin Mulcahy: actually we don't enforce the County's regulations at all; the comment was made to show that the County doesn't regulate buildings of that type under 120 sq. ft.

All in favor, motion carried.

REGULAR MEETING

1. **Application for Site Plan Review SPR1-2014 submitted by J & A Lake George Properties, LLC with Jon Lapper, Esq. as agent proposing to utilize a portion of an existing office space for person services use for property located at 1851 Route 9. Tax Map # is 277.02-1-15. Lot size is 5.37 acres. Section is 175-37 and Zoning Classification is TC-A.**

Jon Lapper is not present at the meeting yet.

Kevin Mulcahy reads the application into the record.

Chairman Quirk: I am going to make one correction, I don't believe that the SEQR pertains to this application and so the SEQR should be changed to "no."

A motion is introduced by Curt Dybas; seconded by Patricia Marek to accept the application as read with the above correction.

All in favor, motion carried.

Howard Nadler announces that Jon Lapper will be joining the meeting in 3 minutes.

Keith Osborne: while we're waiting we could talk about the required hours of training real quick and get that out of the way. We also discussed this with the Zoning Board and basically the question is should the timing to get your training be within 365 days or should it be a calendar year. For our purposes in our office it is much better if it is the calendar year for tracking purposes and regardless it really doesn't matter since you have 365 days to get 4 hours of training.

Chairman Quirk: is it 4 hours, I thought it was 8 hours.

Keith Osborne: no, it is 4 hours.

Kevin Mulcahy: let me back up a little bit. My experience with the Zoning Board was that if you completed 8 hours of training for the year 4 hours of it would be rolled over to the following year. Has that changed?

Keith Osborne: there really hasn't been any quantified way of doing it. The Town Board hasn't talked about it; really no one has talked about it.

Kevin Mulcahy: and so your 4 hours of training is basically for whatever (interrupted).

Keith Osborne: it pertains to whatever your duties are as a Zoning & Planning person. In this case you are afforded paid training on a yearly basis for conferences however the question is "does it count within a 365 day period starting on January 1st or does it start from the time you got the 4 hours?"

Grant Gentner: you have to do 4 hours a year anyway and so let's do it as "calendar year."

Keith Osborne: exactly, that's the way I look at it.

Chairman Quirk: that's the way I look at it too.

Keith Osborne: it's not really a motion but a discussion however if you want to continue with the motion go ahead.

Kevin Mulcahy: it makes sense. We're all appointed the 1st of January and so your first year you should do your first 4 hours of training and so let's say you waited until (interrupted).

Keith Osborne: December 30th? That's the question, if you get your training December 15th or December 30th you're done for the year and you have to get training following January 1st. That's all there is to it. What happens to you if you don't get the training? Absolutely nothing as long as we don't get audited, if we do though there might be an issue although I have not known of a town get an audit. It makes sense to have training regardless.

A motion is introduced by Grant Gentner; seconded by Curt Dybas to keep the training as "calendar year."

Ayes: 5 Mulcahy, Gentner, Dybas, Marek, Chairman Quirk
Nayes: 0

All in favor, motion carried.

Kevin Mulcahy: I think it is good that you give options too because diversified training for me is really a good thing. Everybody going to the same meeting once a year doesn't (interrupted).

Grant Gentner: where were we this year? Last year we were at Ft. William Henry.

Keith Osborne: there were certainly some things last year. I know the Low Impact Development Conference is coming up which is pretty good.

Kevin Mulcahy: yes, that's every year.

Keith Osborne: APA Government Days is coming up and it is pretty good too. There isn't a shortage of training opportunities.

Kevin Mulcahy: I would like to see, in my opinion, a mandatory training session based on the fundamentals of the legal structure of the Board. When I first started with the ZBA I went to a seminar where they went through what your legal responsibilities are on the Board. The way we have our education set up you don't ever really have to know that.

Keith Osborne: and you're talking specifically for the Zoning Board because they are an appellate Board.

Kevin Mulcahy: correct. I guess Planning has some legal boundaries too.

Chairman Quirk: what ever happened to the certification of Board Members? I went through the online course, we discussed it but nothing else happened.

Patricia Marek: we were going to have a meeting but it never came about.

A discussion ensues among the Members and the certification courses.

Keith Osborne: but there isn't anything that the Town Board requires you to do; this certification is a feel good thing but not a requirement.

Chairman Quirk: you're right but when you are certified then you have a little something to rely on.

Curt Dybas and Patricia Marek both add that little meetings were supposed to have been held to go over each chapter or segment but they never materialized.

Jon Lapper, Esq.: I apologize. We were here in 2006 when it was a different economy for house building. Howard built this beautiful office building and it is currently pretty vacant and so his plan, as you saw in the application, is to use much of the first floor for a hair dresser. We documented and Keith confirmed that the parking variance we received the last time is more of a relief then we need for this use because this personal use service requires less parking than the office use. The only other thing is that Keith asked us to button is the septic system. We had the engineer who designed this look at the DOH regulations and he provided a letter saying that we're ok for the septic. Keep in mind that it is just about re-tenanting the building with no exterior changes to the site plan or building we hope that this doesn't require a public hearing because it is pretty straight forward.

Chairman Quirk: yes, I think we determined that we don't need a public hearing however it is up to the Board if they feel that one is necessary.

Curt Dybas: I have a question for Keith, Keith are you satisfied with Tom's?

Keith Osborne: I am, I don't think he has a lot of meat on the bone there because it is not an area to draw from; they don't discuss it, you'd think they would but it is going into an onsite water system, which is a conventional one.

Curt Dybas: the soils become much better as you move south here. The parking lot is right against that big rock pile where they blasted forever years ago.

Kevin Mulcahy: Curt I went on line too since I had the same questions and I started looking up what these were and the rate that I have is 170 gallons per day per wash station and I found that the County uses 120 gallons and then other places use square footage conversion which was similar to what the office conversion was but that was my same thought. The fact that it is a standard trench and not an Eljen gives me a little more comfort because the one thing that came up was the discharge of dyes and chemicals from the hair washing process; it's much better, it's a conventional system with only one wash station. The other thing was that I believe this is all by appointment only and not walk ins?

Jon Lapper replies yes.

Kevin Mulcahy: so your parking is addressed right there since you're going to be scheduling people.

Jon Lapper: and that parking lot is mostly pretty vacant these days; there is plenty of capacity.

A motion is introduced by Kevin Mulcahy; seconded by Grant Gentner to waive the public hearing.

Ayes: 5 Mulcahy, Gentner, Dybas, Marek, Chairman Quirk
Naves: 0

All in favor, motion carried.

A motion is introduced by Grant Gentner; seconded by Kevin Mulcahy to approve Site Plan SPR1-2014 as submitted.

Ayes: 5 Mulcahy, Gentner, Dybas, Marek, Chairman Quirk
Nays: 0

All in favor, motion carried.

A motion is introduced by Curt Dybas; seconded by Patricia Marek to adjourn the meeting at 6:30 pm.

Respectfully Submitted,

Adele Behrmann
Planning & Zoning Clerk