

Minutes of the Town of Lake George Town Board Public Hearing and Public Workshop held on Monday, September 10, 2018 at the Town Center, 20 Old Post Road, Lake George, New York.

Members Present: Dennis Dickinson, Supervisor
Vincent Crocitto, Councilperson
Daniel Hurley, Councilperson
Marisa Muratori, Councilperson
Nancy Stannard, Councilperson

Also Present: Deb Foley, Town Clerk; Dan Barusch, Director of Planning and Zoning; Lori Barber, Assessor; Robert Blais, Joe Mastrodomenico, Harrison Freer, Aaron Frankenfeld, Valerie Deane, Brian Kirch, Audrey Burneson, Jean Jenkin, Thom Randall, Paul McClane, Suzy Tyrer, Paul & Amy Chambers, Dan Daniger, Ann McGarry, Joseph Russo, Dana M. Seguljic, Mike Seguljic, Bonnie Powers, Jim Grey, Carol Bell

PUBLIC HEARING - DIAMOND POINT BEACH

Amendments to Regulations

Supervisor Dickinson Opened the Public Hearing at 5:00 PM

Dan Barusch, Director of Planning and Zoning read the Local Law and rules and regulations for the Diamond Point Beach. Supervisor Dickinson read the SEQR, questions 1-12 No impact. Negative Declaration.

NEGATIVE DECLARATION SEQR DETERMINATION FOR AMENDMENTS TO TOWN CODE CH. 117 PARKS, BEACHES AND PLAYGROUNDS (PROPOSED LL 2-2018)

RESOLUTION #133-2018, Introduced by Supervisor Dickinson and seconded by Councilperson Stannard.

WHEREAS, the Town of Lake George desires to adopt a local law for the purposes of better regulating Diamond Point Beach/Park in the Town, and said local law requires completion of a SEQR review prior to the action commencing.

WHEREAS, the State Environmental Quality Review Act (SEQR) regulations found at 6 NYCRR Part 617.3(a) require that no agency may undertake, fund or approve an action until it has complied with the requirements of SEQR;

WHEREAS, 6 NYCRR 617.(b) indicates that when a single agency is involved with respect to an action, that agency shall be the lead agency and determine the significance of the action;

NOW THEREFORE, it is hereby

RESOLVED, that the Town Board of the Town of Lake George hereby determines that the proposed amendments to the Town Code Chapter 117 Parks, Beaches and Playgrounds (proposed LL 2-2018) constitutes an Unlisted action that is subject to SEQR and that there is no Federal, State or other involved agencies with respect to this specific action; and, that the Town Board hereby declares itself to be the lead agency for this action and that a short Environmental Assessment Form is sufficient to determine the significance of the action;

BE IT FURTHER RESOLVED, that the Town Board has thoroughly reviewed Part 1 of the SEQRA Short Environmental Assessment Form prepared for the proposed local laws to amend chapter 117 of the Town Code and has carefully considered the questions in Part 2 of the Short Environmental Assessment Form; and

BE IT FURTHER RESOLVED, that the Town Board has determined that the proposed local law amending Chapter 117 of the Town Code would not have any significant adverse environmental impacts and, to the contrary, would be beneficial in protecting the health and welfare of the Town residents and the Lake; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares a Negative Declaration under SEQRA for the proposed local law to amend Chapter 117 of the Town Code; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Supervisor to complete and sign the Short Environmental Assessment Form for the proposed local laws to indicate the Town Board's determination to issue a Negative Declaration under SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town's Director of Planning and Zoning and/or the Town Clerk to take any additional actions necessary, including distribution of copies of this Resolution and/or copies of the completed Short Environmental Assessment Form, to document the Town Board's issuance of a Negative Declaration in its review of the proposed local law.

Duly adopted this 10th day of September by the following vote:

Ayes	4	Crocitto, Muratori, Stannard, Dickinson
Noes	1	Hurley
Absent	0	

Dan Daninger from Coolidge Hill Road in Diamond Point spoke. He stated as far as the access is concerned, other Towns charge a yearly fee to offset the costs. There are ways to offset costs for resident's only. He also wants to be able to maintain access to the beach at night.

Joe Russo stated he thinks the beach should be opened year round. A key card reader would solve so many problems there

Ann McGarry stated there is nothing in the deed that allows the Town to close this public beach. It is the resident's beach. The Town of Lake George is there as a caretaker so the resident's can use the beach. The Town has put a camera up and therefore there is surveillance. If you do something wrong, they will be reported and they will be accountable. Closing the beach is absolutely unacceptable. She stated there will be legal action if the Town does.

Mike Seguljic spoke:

Generally, the language in the Proposed Codes is inadequate as it concerns parking, beach passes and their enforceability, and the speed at which people are driving along Lake Road. Also, there is no language concerning sole use of the Beach for beach/lake access purposes (vs. special occasions such as weddings).

Before commenting further on the Codes, we'd like to provide some background from our perspective...It truly seems like a lot of the recent issues are being caused by some of our duly elected representatives appearing to side with the owner of a recently purchased lake front home. This individual has told us that he has spoken to each one of you. He knowingly bought a lake front home that neighbors a Town Resident Beach and which also has a motel property wrapping around the other two sides. He then proceeded to make an absolute bloody racket for a year or so with all of his construction/demolition activities, modifications, and alterations. Many construction vehicles, trailers, heavy equipment, etc. associated with the work on his home and boat house were parked along the road taking up many of our spots for a long period of time. Yet, with no regard for how he inconvenienced any of us...he had the audacity to complain about the noise being made at the beach from the common folk who were simply using the beach as they had for years.

He has even come after me and my wife, not only with his words but with his vehicle. One day he even asked me what I was doing there walking along the road with my dog. He got so threatening that I wrote the Town Board and expressed our concerns that he was going to hurt someone. I also called the police about the incidents with him and had them speak to him. Additionally, we contacted Dan Hurley who had the Please Drive Slow pedestrian signs installed. Thank you, Dan for trying to help us.

Now back to the Codes

Parking

- Many times vehicles/boats etc. associated with the neighboring residences and motel are parked on Lake Road taking up spaces for those going to the beach.
- An existing sign at the beginning of Lake Road clearly prohibits this parking encroachment and is in agreement with the Codes. However, the sign does not convey the potential for towing and the issuance of a fine for non-compliance.

Dangerous Conditions exist along Beach Road due to Drivers going to Fast

- The installation of speed bumps would help to slow down aggressive drivers
- The existing signage may be helping but an enforceable 5-mph speed limit would enable law enforcement to issue tickets.

Resident Beach Passes ...

- If not checked, what's the point of having passes
- We feel that inconsistent enforcement is the root cause of conflict
- Waiting for the Beach to get crowded to enforce residency will just cause more conflict
- If not the Life Guards responsibility to check the passes then whose it?
- When we go to other beach communities we see the use of residency pass cards and stickers for vehicle parking - it is not as complicated and difficult as you are making it seem
- Solutions include having the Town Clerk confirm residency within the Town and then notarize each Beach Pass with an embossed notary stamp (this cannot be copied due to the raised seal).
- The installation of a card reader and the issuance of a swipe card to Town of Lake George residents is the simplest solution to addressing enforcement of access and freeing up the Life Guards from checking passes
- However, it is then fully incumbent upon the Town to confirm residency within the confines of the Town of Lake George prior to issuing a swipe card.
- Sharing of Passes or the Swipe Cards needs to be addressed
- Use of the beach by guests of a resident should be addressed (what is a reasonable number of quests at any one time?)
- There is also a significant problem of passes being copied and given to hotel/motel quests ... this issue is not addressed in the codes. There should be a fine for forging passes.
- An observation... We have noticed quite an increase of out of town people coming to the beach who are visiting the area and the beach for the first time - there does seem to be quite an up tick. If this is not kept in check, the Beach will become even more crowded and unruly causing you, members of the Town Board, and us, the residents of Lake George, even more heartache and frustration.
- Again, if residency and passes are not checked or the issuance of swipe cards not controlled - what's the point of being a Town Resident with a pass or a swipe card.

RESOLUTION #134-2018, Introduced by Councilperson Stannard and seconded by Councilperson Crocitto to close the Public Hearing.

Duly resolved this 10th day of September 2018 by the following vote:

Ayes	5	Crocitto, Hurley, Muratori, Stannard, Dickinson
Noes	0	
Absent	0	

PUBLIC WORKSHOP WARREN COUNTY BIKEWAY

Dan Barusch, Director of Planning and Zoning gave an explanation of the proposed Warren County Bikeway to Warrensburg. A study was done to determine the feasibility to extend the bike path from the Village (battlegrounds). There is hope that there will be some funding down the road. The purpose of the workshop is to get input from the elected officials and the public. Alta Planning and Design then gave a presentation to the Town Board and the public in attendance. The path would extend from the Village of Lake George to the Town of

Warrensburg. There have been a number of routes discussed as to how to determine the future path and the best way to get through the Village of Lake George and to enter the Town of Warrensburg. Dan Barusch stated that, in his opinion, Route 9 would be the best way to get into the Town of Warrensburg and would like to tie it in with something that has a nexus to other things in Warrensburg, whether it be a park or along the Schroom River.

Minutes typed by Katharine Erceg

Respectfully submitted,

Deb Foley, RMC
Town Clerk