

Minutes of the Town of Lake George Planning Board meeting held on November 13, 2018 at 6:00 p.m., at the Town Center, 20 Old Post Road, Lake George, New York.

Members Present: Fred Pape, Vice Chairman
Heath Mundell
Nathan Hall
David Meixner
Rich Askew

Absent: Sean Quirk, Chairman, Robert Flacke

Also Present: Dan Barusch, Adele Behrmann, Jim Rose, Parker Crossley, Anthony Cardona and others.

Vice Chairman Pape opens the meeting at 6:00 p.m.

Acceptance of the Minutes

A motion is introduced by Heath Mundell; seconded by Nathan Hall to accept the minutes of the October 9, 2018 meeting in the record.

All in favor, motion carries.

PUBLIC HEARINGS

1. Application for Site Plan Review SPR22-2018 submitted by Sandy & Adam Roman with Parker Crossley as agent, with a proposal for landscape renovations to include a pavers' patio, new planting areas, new granite steps and decorative boulder walls; for property located at 3744 Lakeshore Drive. Tax Map No. is 226.05-1-22. Lot size is 0.54 acres. Zoning Classification is RCH-LS. Code References are 175-23 & 175-37. SEQRA is Type II.

Parker Crossley with Grasshopper Gardens begins describing the project. Their goals are as follows:

- Expansion on the northwest side and approximately 2 ½ ft. on the west side (by a retaining wall on the water front) of an existing patio to gain more table space.
- Expansion on some of the plantings since the homeowner would like to add some color and more vegetation to the landscape.

The project is pretty straight forward with the exception of being able to get equipment on the shoreline in order to expand the patio. A small excavator and a mini skid steer will be brought in via a barge. The same equipment will be used to manipulate and move materials over the 8 ft. wall possibly using a basket system. The skid steer will be used to bring the pallets of blue pavers over the wall.

Vice Chairman Pape asks if there are any pump stations in the ally way that may be damaged by the machines. Mr. Crossley replies that the homeowner wasn't sure exactly where the shared septic tank is; there are however two steel covers on the patio, one is for the pump system and the second is for the d-box. The proposed expansion will be to the right side of the patio thus not interfering with any septic systems. Additionally, the current wooden stairs

will be replaced by granite stairs mainly for safety reasons. On the west side of the patio they will be replacing a partially dilapidated wooden retaining wall with a more permanent type fixture to make it solid and safe. One sickly tree next to the hot tub will be removed and replaced by vegetation and trees for privacy from neighbors.

Vice Chairman Pape asks if any work is planned by the wall on the shoreline; Mr. Crossley replies that they will be changing the vegetation by introducing more planting beds over the hillside as well as expanding on the existing large boulders. Dan Baruch asks the applicant to put up a silt fence or any other erosion and sediment control on the beach during construction. Mr. Crossley responds that they will put up the silt fence, leave it in the winter and remove it in the spring. They would like to finish the project within 20 to 24 days as long as the permit is issued quickly. As for the dock work, it is being done by another company and it should be completed by the end of the week. Weather permitting, their plan is to work on the waterfront first, however insulating blankets will be used to keep the ground temperature workable.

Vice Chairman Pape questions the answer given for decks on the application which has a “zero” for square footage while there are quite a few decks and patios on the property. Dan Barusch and Mr. Crossley inform the Board that the decks and patios square footage was included in the impervious area.

Vice Chairman Pape opens the meeting to the public with no response.

A motion is introduced by Heath Mundell; seconded by Nathan Hall to close the public hearing.

All in favor, motion carries.

Vice Chairman Pape reads the application into the record.

A motion is introduced by Heath Mundell; seconded by Nathan Hall to accept the application as read.

All in favor, motion carries.

A motion is introduced by Nathan Hall; seconded by Heath Mundell to approve Site Plan Review SPR22-2018 as submitted.

Ayes:	5	Mundell, Hall, Meixner, Askew, Vice Chairman Pape
Nays:	0	
Absent:	2	Chairman Quirk, Flacke

All in favor, motion carries.

2. Application for Site Plan review SPR23-2018 submitted by James Rose as owner and agent of Twin Birches Cottages, LLC, with a proposal to replace an old staircase, deck and walkways with new, larger stairs, walkways and deck to improve access to the new crib dock/sundeck; for property located at 3178 Lakeshore Drive Off. Tax Map No. is 238.16-1-28. Lot size is 1.06 acres. Zoning Classification is RCH-LS. Code References are 175-23 & 175-37. SEQRA is Unlisted.

Jim Rose begins by describing the project stating that he is getting new docks and a new sundeck on the south side on the property. The application for the dock and the sundeck is currently being reviewed by the Park Commission. The proposal is to increase the walkways, decks and stairways to accommodate access to the new sundeck and dock and the total increase in impervious area is 470 ft. Dan Barusch continues by directing the Board Members to the survey map provided by the applicant which shows the existing deck on the shoreline with a zero ft. set back which was approved by the Zoning Board as an expansion of a non-conforming structure at zero ft. on the shoreline. The additional increase in impermeable surface is under 1,000 sq. ft. therefore it does not require stormwater mitigation. An unlisted SEQRA form will be done since it is a commercial property. As Dan Barusch explains, this is a little expansion at zero set back involving bridges connecting to sun decks or second story docks similar to others applications previously reviewed by the Board. Jim Rose adds that the Dock Doctors did the first project and the acquisition of this property on the south boundary adds 50 ft. resulting in the addition of terracing and stormwater that redesigned the whole lake front. Currently, they have a beach which prompted the relocation of the dock to the north boundary line of the property. The increased size of the waterfront allows them to also add a deck, walkways, staircases, etc.; these changes will not affect the jet skis business currently on the premises. In response to Vice Chairman Pape's question about the concrete buildings on the site, Jim Rose states that they are stormwater mitigation measures.

Vice Chairman Pape opens the meeting to the public with no reply.

A motion is introduced by Nathan Hall; seconded by Heath Mundell to close the public hearing.

All in favor, motion carries.

Nathan Hall reads the application into the record.

A motion is introduced by Heath Mundell; seconded by Nathan Hall to accept the application as read.

All in favor, motion carries.

Nathan Hall reads Part I of the SEQRA. Vice Chairman Pape reads Part II & III of the SEQRA. (A copy of the full SEQRA is attached at the end of this document.)

A motion is introduced by Heath Mundell; seconded by Nathan Hall to confirm a negative SEQRA.

All in favor, motion carries.

A motion is introduced by Nathan Hall; seconded by Heath Mundell to approve Site Plan review SPR23-2018 as submitted.

Ayes: 5 Mundell, Hall, Meixner, Askew, Vice Chairman Pape

Nayes: 0

Absent: 2 Chairman Quirk, Flacke

All in favor, motion carries.

3. Application for Site Plan Review SPR24-2018 submitted by Anthony V. Cardona, Jr. with a request to realign the driveway, addition of stairs as well as planting beds; for property located at 3440 Route 9L. Tax Map No. is 239.17-2-4. Lot size is 1.17 acres. Zoning Classification is RS-1. Code References are 175-23 & 175-37. SEQRA is Type II.

Mr. Cardona begins by stating that the project started by taking down a few trees that turned into stumping and a visit by Dan Barusch. Currently, access to the house is through a driveway with a sharp curve that even when headed southbound brings you to the north lane. His proposal is to enlarge it and align it. The property is in need of repairs; the drainage needs to be re-connected and all the catch basins are clogged. He likes privacy therefore he will put up more trees than he took down. His goal is to make all the necessary repairs but keep the original look of the house.

Dan Barusch adds that the major aspects of this project are the driveway re-alignment since its exit or access is not safe and the disturbance of the land. He asks Mr. Cardona if he has received any communications from DOT regarding the work being done adjacent to a right-of-way. Mr. Cardona replies that he has not been approached by DOT but he is going to rebuild exactly what is there now with the exception of the re-alignment of the driveway. Vice Chairman Pape voices that he is always bothered by the after-the-fact projects however this project doesn't seem too bad. Dan Barusch reiterates that the cutting of the trees was not as concerning as the land disturbance which at one point was over 5,000 sq. ft. which along with the realigning of the driveway are the reasons for review by the Planning Board.

Vice Chairman Pape opens the meeting to the public with no response.

A motion is introduced by Heath Mundell; seconded by Nathan Hall to close the public hearing.

All in favor, motion carries.

David Meixner reads the application into the record.

A motion is introduced by Heath Mundell; seconded by Nathan Hall to accept the application as read.

All in favor, motion carries.

A motion is introduced by Nathan Hall; seconded by Vice Chairman Pape to approve Site Plan Review SPR24-2018 as submitted.

Ayes:	5	Mundell, Hall, Meixner, Askew, Vice Chairman Pape
Nays:	0	
Absent:	2	Chairman Quirk, Flacke

All in favor, motion carries.

Vice Chairman Pape asks Dan Barusch for an update on the Landcrafters application; Dan replies that it has been postponed to the December meeting due to very tedious and lengthy process to determine the speed on a road.

He has asked DOT to possibly expedite the request since it is for only 40 miles per hour but feels that it will most likely get resolved in January. Nathan Hall suggests that the Board issue a conditional approval with the condition being to obtain approvals by the State Agencies on the appropriate speed limit. Dan adds that he would feel more comfortable if DOT would at least issue a letter or statement that they're working on this request. Vice Chairman Pape reiterates his concern that the lots might be cleared subsequent to an approval by the Board which makes them easier to sell. He would like to see each lot come back for site plan approval prior to building; the remaining Board Members agree with this condition. Nathan Halls believes that all is necessary is for the road and infrastructure of the subdivision to be done without touching the lots.

A motion is introduced by Nathan Hall; seconded by Vice Chairman Pape to adjourn the meeting at 7:00 p.m.

All in favor, motion carries.

Respectfully Submitted,

Adele Behrmann
Planning & Zoning Clerk

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Twin Blaches Lake Front Deck & Walkway</i>			
Project Location (describe, and attach a location map): <i>3178 Lake Shore Dr & Sunnyview Lane</i>			
Brief Description of Proposed Action: <i>IN LARGE ARE EXISTING DECKS, WALKWAYS & STAIRS TO WORK WITH ONE NEW DOCK & SUN DECK & BRACK</i>			
Name of Applicant or Sponsor: <i>JAMES ROSE</i>		Telephone: <i>518 668-2741</i>	
		E-Mail: <i>TWINBLACHES@optnet.com</i>	
Address: <i>3201 Lake Shore Dr.</i>			
City/PO: <i>LAKE GEORGE</i>		State: <i>NY</i>	Zip Code: <i>12845</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>1.06</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>N/A</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Not needed</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>port potty</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>James Rose</u> Date: <u>10/10/18</u> Signature: <u>[Handwritten Signature]</u>		

PRINT FORM

Agency Use Only [If applicable]

Project: SPR 23-2018
 Date: 11/13/18

**Short Environmental Assessment Form
 Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Agency Use Only [If applicable]

Project: SPR203-2018
Date: 11/13/18

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

N/A - No impacts assumed from the project -> all minimal or non-existent.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>Lake George Planning Board</u>	<u>11/13/18</u>
Name of Lead Agency	Date
<u>Fred Pope</u>	<u>Acting Chairman</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Signature]</u>	<u>[Signature]</u>
Signature of Responsible Officer in Lead Agency	Signature of preparer (if different from Responsible Officer)

PRINT FORM

