



Village of Saranac Lake

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VILLAGE OF SARANAC LAKE DEVELOPMENT BOARD MEETING MINUTES 11/5/19

ATTENDANCE

Development Board Members: Tom Boothe, Chairperson, Present
Donna Difara, Present
Bill Domenico, Excused
David Trudeau, Present
Elias Pelletieri, Present
Craig Catalano, Alternate, Present
CJ Hagmann, Alternate, Excused

Paul Blaine, Development Code Administrator, Present
Cassandra Hopkins, Administrative Assistant, Present

CONVENE

Tom Boothe opened the meeting at 6:00pm.

Motion to approve October 1, 2019 Regular Meeting Minutes by Donna Difara, seconded by David Trudeau, all in favor, unanimous approval.

PUBLIC HEARINGS BOARD ACTION

MX Petroleum Corp., Amendment of Site Plan Approval to operate a petroleum storage facility, Van Buren St.
Boothe asked Paul Blaine, Development Code Administrator, for a staff report.

Blaine stated that this project had originally come before the board in September, at which time the following approval was granted; Special Use Permit with Site Plan Review with conditions. Blaine presented the board with the approved Site Plan, and then a modified one that showed the additional grading that had been done on site. Blaine described an area of expansion in the east corner of the site as extensive grading on site that was not approved.

Boothe asked Matthew Bard, representative for MX Petroleum, for any additional comments on the modified project. Bard stated that fuel trucks will be using the site for loading and unloading, and those type of trucks need more space for turning safely.

Boothe asked why they did not get permission before proceeding with the alteration of the project site.

Bard replied that the crews on site were working to get the job done before bad weather hit, and that he knew the Village Development Code Administrator was out of town.

Elias Pelletieri stated to the applicant that it is always appropriate to get permission. He stated that the site plan approved was not for additional storage or parking, and asked if that was the plan for the graded area.

Bard stated that there will not be additional storage on that area of the site.

Boothe addressed the applicant to describe the additional screening that was requested at the Board meeting in September. He stated that a 10' high lattice-style fence is appropriate for screening the expanded area.

Difara suggested the condition of a bond to ensure additional vegetative screening with approval of an amended site plan.

Blaine explained when its appropriate to ask for a bond at the Board level.

Craig Catalano asked about the type of vegetative screening on site.

Boothe stated that a condition of approval can be additional screening on the side toward Kinney Drugs.

Bard stated that there is cedar planted on the Van Buren street side.

Difara stated that if those vegetative plantings don't survive this season, the Board will require more to be planted.

Trudeau agreed and stated that the applicant's word is good and that the Board doesn't need a bond as well.

Motion to approve Site Plan Amendment for additional grading on site with the following conditions:

- 10' high fence be placed on the east side of the property to provide more screening from the neighboring property.
- Replace vegetation along Van Buren Street side of property if existing vegetation does not survive.
- Submit a revised site plan to the Development Code Administrator, Paul Blaine.

by Boothe, seconded by Pelletieri, all in favor, unanimous approval.

Mark and Susan Zagrobelny, Site Plan Review for Bakery, 28 Woodruff Street.

Blaine described this property as a two-family dwelling that the new owners plan to convert the 1st floor into a bakery and keep the second story as an apartment.

Boothe asked for any comments from the project applicants.

Mark Zagrobelny stated that they will be improving the exterior of the building that faces Woodruff Street.

Boothe asked about the side of the building where an external rubbish container will be placed.

Blaine stated that part of the rubbish containment will be placed over a part of the property where the Village has an established easement (on the West side of the property).

Zagrobelny reassured the board that the fencing and rubbish containment will be temporary enough that it will be removed if the Village ever needed to access that part of his property.

Boothe stated that it is a nice project.

Trudeau asked the applicant, Susan Zagrobelny, when the business was established and how the business has been operating prior to securing this property.

Zagrobelny stated that her bakery, Early Dawn Confections, was established in 2011 and she has been baking out of her house.

Motion to close the public hearing by Difara, seconded by Trudeau, all in favor, public hearing closed.

Motion to issue a negative declaration for the purposes of SEQR by Trudeau, seconded by Pelletieri, all in favor, declaration moved.

Motion to find the project in conformance with LWRP policy standards and conditions by Pelletieri, seconded by Catalano, all in favor, motion carried.

Motion to approve Site Plan by Catalano, seconded by Trudeau, all in favor, unanimous approval.

Mark and Inga Thrasher, Area Variance with Site Plan review for expansion of a non-conforming structure, 39 Helen Street.

Blaine presented a staff report to the board. He stated that the main building on the property is a nonconforming structure and that the applicant is expanding on the back side of the structure. The proposed addition will not increase the area that is currently encroaching in the side setback area. Blaine recommended approval as is.

Boothe asked the applicant for any additional comments.

Inga Thrasher stated that the reason for the project is to provide better access into and out of the house.

Mark Thrasher stated that they will be working on the porch on the back side for this project, and in the future want to restore the historic cure porch out front.

Boothe asked for any additional comments from the Board.

Difara stated that it was a good project.

Motion to close public hearing by Difara, seconded by Catalano, all in favor, public hearing closed.

Motion to issue a negative declaration for the purposes of SEQR by Trudeau, seconded by Difara, all in favor, declaration moved.

Motion to find the project in conformance with LWRP policy standards and conditions by Trudeau, seconded by Pelletieri, all in favor, motion carried.

Motion to approve Area Variance with Site Plan review by Difara, seconded by Pelletieri, all in favor, unanimous approval.

John McLean, Area Variance for an accessory structure exceeding permitted exterior wall and overall height, 79 Pontiac Street.

Blaine gave an overview of the proposed project. The applicant plans to tear down an existing garage on site and replace it with a structure that exceeds the Development Code's maximum height for accessory structures. He noted that the grade of the proposed building site in the yard is lower than the street elevation, which will reduce the visual impact of the height of the accessory structure from the street.

Boothe asked the applicant, John McLean, for any additional comments on the project.

McLean stated that the purpose of this tear down and rebuild is to increase storage on site for bikes and kayaks, and eliminate clutter in the backyard.

Difara stated that this is a good project.

McLean stated that the picture of the model building presented to the Board isn't an exact copy of what he plans to do. There will not be any windows or door on the side that faces the nearest neighboring property. He added that there is also vegetative screening on that side of his property. The windows he plans to install in the new structure will be on the upper part of the building toward the neighbors and will be translucent, not glass, for natural lighting of the interior of the garage.

Trudeau asked about any other purpose for the new garage.

McLean stated that this is a storage space for excess outdoor gear such as bicycles. He confirmed that it will not be a living space.

Motion to close public hearing by Difara, seconded by Catalano, all in favor, public hearing closed.

Motion to approve Area Variance by Trudeau, seconded by Difara, all in favor, unanimous approval.

Randy Cross, Special Use Permit with Site Plan Review for an Industry Type I use, 600 AMA Way.

Blaine described the existing project site as an abandoned area that has recently been reinvested in, so the Board can expect more project proposals such as this one. He stated that the proposed site plan and use of space is reflective of the business' operations currently in a corner of the Nori's property. The applicant has presented a traffic plan to direct deliveries away from the residential Park Avenue, and instead, have trucks use the AMA entrance off of Trudeau Road. Blaine also noted that this is a historic property.

Boothe asked the applicant, Randy Cross, owner of Carpe Insectae, for any additional comments.

Cross stated that the purpose for moving is to continue manufacturing and distributing product from Saranac Lake, given that his current lease has ended and he has been working on finding a new headquarters for his business for a few years.

Trudeau asked for clarification on the business.

Cross responded that he only works to manufacture natural insect repellent.

Blaine asked for the engineer for the project, Joe Garso, to add anything.

Garso stated that this project provides an adaptive use of an existing vacant building and lot. He introduced the property manager, also present at the meeting, Brian Draper.

Trudeau asked about the size of the space and where it is on the AMA campus.

Blaine presented the board with the Site Plan and an overview map of the AMA campus.

Cross stated that it is a 5,042 sq. Ft. space and described the plans for operation within the layout of the building. He stated that his business is fully licensed with the EPA, although it doesn't necessarily need to be because he works to manufacture natural insect repellent.

Trudeau asked for a list of ingredients.

Blaine stated that he has that on file.

Cross stated that each of the ingredients that are used in production do have a unique smell, however, at Nori's he was able to mitigate that with proper ventilation. He plans to do the same at this property, and he stated that the maximum distance he ever smelled ingredients from was about 100ft. He stated that the closest residential neighbor on the State Route 3 side is 432ft., and on the Park Avenue side is 847ft. He added that the ventilation of the facility will be kept up with and vents will be run 24 hours a day.

Boothe asked for any public comment on the project.

Sarah Clarkin, neighbor, stated concern for the truck traffic on the road.

Cross responded that his business expects a delivery about twice per week, however, for years the AMA property has seen similar and more frequent deliveries for existing businesses on campus.

Blaine stated that he has the traffic plan on file.

Motion to close public hearing by Difara, seconded by Trudeau, all in favor, public hearing closed.

Motion to issue a negative declaration for the purposes of SEQR by Trudeau, seconded by Difara, all in favor, declaration moved.

Motion to find the project in conformance with LWRP policy standards and conditions by Pelletieri, seconded by Difara, all in favor, motion carried.

Motion to approve Special Use Permit with Site Plan Review by Trudeau, seconded by Pelletieri, all in favor, unanimous approval.

Harrietstown Housing Authority, Amendment of Site Plan approval for exterior renovation, 14 Kiwassa Rd.

Blaine presented the board with a staff report. This project was before the board in May, at which time the Site Plan was approved with conditions. Since then, the construction project has gone out to bid and has come back over budget. The applicants are back before the Board to try to cut down on costs so that when this construction project goes out to bid again it will not come back over budget.

Boothe asked the applicant for plans to cut costs.

Shane Chatelle, representative for Harrietstown Housing Authority, stated that they expect significant savings on the alternative siding panels and minimized wall on the building side with set solar panels.

Trudeau commented that those solar panels don't work and asked if there are any plans to remove them.

Clarkin, Executive Director of Harrietstown Housing Authority, stated that they have explored this option and the crane work would put it above reasonable costs.

Chatelle stated that the parapet wall will partially screen the top of that section of the building.

Trudeau asked for samples.

Jim Abdallah, project manager, passed around sample materials for the top wall and alternative panels.

Boothe asked for any additional comments from the Board.

Pelletieri stated that it is important work that the housing authority does and that they need to make sure this project goes through.

Boothe stated that this is a good project.

Motion to approve Site Plan Amendment by Difara, seconded by Pelletieri, all in favor, unanimous approval.

Justin Pallack, Special Use Permit for a two-family dwelling with Site Plan Review, 26 Cantwell Way.

Blaine gave a staff report on the site plan submitted by the applicant that has changed a total of three times. In June, the applicant came before the Board to expand a nonconforming single-family structure to a two-family dwelling. A variance was requested for off street parking in the front yard and setback for a portion of the two-family dwelling. A new access drive was also proposed from Old Military Road. Blaine went on to state that the next time the applicant came before the Board was in August because the Board decided at the June meeting that more time was needed for the applicant to present a better application. In June, the Board had determined that the stormwater plan, the proposed access from Old Military Road, extensive grading, proposed retaining wall, removal of vegetation, and demolition of existing structure all needed revisions for an improved site plan. At the August meeting the applicant received approval from the Board for an area variance for the front setback of 5' on the north edge of the property and side setback of 5' on the west side, for a primary structure. The approval came with the following conditions:

- Take down the existing structure to the foundation and safely cover or fill any holes in the ground by 31 October.
- A complete application to be submitted to Paul Blaine by the deadline for the November meeting. This plan will include engineered plans and a stormwater drainage plan.
- The condition that these variances will be rescinded should any conditions not be met by the applicant.

He stated that the conditions were not met before the deadlines for this board meeting. Blaine reminded the Board that this property has been the subject of an enforcement effort by the Village for unsafe property conditions. The

applicant has not complied with voluntary compliance deadlines and will be issued appearance tickets if this situation is not resolved. Blaine stated he recommends denial with recommendation that the project be resubmitted when all project documents are complete.

Difara stated concern with lack of concrete stormwater drainage plans given the landscape of the property and amount of proposed grading for each site plan that they have seen.

Pelletieri agreed with concern over professional stormwater drainage plans.

Boothe stated that something has to be done about this property.

Motion to close public hearing Pelletieri, seconded by Trudeau, all in favor, public hearing closed.

Motion to approve Special Use Permit with Site Plan Review by Boothe who called for a roll call vote:

- 1) Boothe; voting no for the following reasons
 - a) Application submitted for Development Board is incomplete.
 - b) The application did not include adequate stormwater drainage plans.
 - c) Part of a neighboring property was used in the Site Plan submitted.
- 2) Pelletieri; voting no for the reasons previously stated.
- 3) Catalano; voting no for the reasons previously stated.
- 4) Difara; voting no for the reasons previously stated and for the following reason
 - a) The applicant does not have any vision for the project.
- 5) Trudeau; voting no for the reasons previously stated.

Motion failed with zero votes in favor, and five votes against for reasons stated above.

OLD BUSINESS

Blaine gave an overview of where the previously recommended development code amendments are in process with the Village Board.

He stated that the Village Board is moving to amend the allowed uses for certain Village zoning districts to allow for Day Care and additional School-use areas. The Village Board has moved to put this amendment through and has referred the project to Essex County and have called for a public hearing on the 12th of this month.

Boothe stated that the Development Board members need to see this proposed amendment. He requested that Blaine send a copy of the proposed amendment packet to the Board members.

Blaine confirmed that he will share the packet of information with the Development Board members.

NEW BUSINESS

PUBLIC COMMENT

Merilyn Duffy, neighbor, asked about the proposed use of the Carpe Insectae AMA property.

Boothe stated that the existing business, Carpe Insectae, has presented a site plan to move operations to the property, which was approved previously in the meeting.

Trudeau made clear that the business is a manufacturer and distributor of natural insect repellent and identified Randy Cross as the business owner.

Boothe stated that it is the exact same operation that was taking place at the Nori's property.

Duffy stated concern for potential negative biological impacts.

Blaine stated that he has a list of ingredients on file. The ingredients are all natural.

Difara stated she is confident in the application and that this is a good business that proudly uses Saranac Lake as its headquarters.

Motion to close the public comment section of the meeting by Difara, seconded by Catalano.

ADJOURNMENT

Motion to adjourn the meeting by Difara, seconded Catalano, all in favor, motion carried.

Meeting was officially adjourned at 7:25pm.

Meeting minutes prepared by Cassandra Hopkins, on November 6th, 2019

Community Development Administrative Assistant