



Village of Saranac Lake

Community Development Department

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**DEVELOPMENT BOARD
MEETING AGENDA 5:00PM
TUESDAY, November 5, 2024**

This meeting will be held in the Village Board Room and may be viewed through ZOOM Enter at the side door of the building, 39 Main Street

<https://us02web.zoom.us/j/5184919884?pwd=Nk5ISVZQNjgvdS9tbitMZG93M2xZUT09>

Meeting ID: 518 491 9884

Passcode: 704556

ATTENDANCE

Development Board Members:

Elias Pelletieri, Chairperson, Present

Bill Domenico, Present

Meg Cantwell-Jackson, Present

Dan Reilly, Present

Tim Jackson, Alternate, Present

A. Approval of Minutes

Elias Pelletieri opened the meeting at 5:00pm.

- Motion to approve July 9, 2024 Board Meeting Minutes by Domenico, seconded by Pelletieri. Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, no vote; Domenico, yes; Reilly, no vote; Jackson, yes; and Pelletieri, yes.

All in favor, meeting minutes approved.

B. Application of: Mark Legeza and Michaelle Chojnacki, 67 Old Military Road, Area Variance Application

Public Hearing

- Public Hearing for the Application of: Mark Legeza and Michaelle Chojnacki, 67 Old Military Rd., area variance application seeking approval of one side yard setback variance to build a garage addition to primary residence, Tax Map Parcel #32.150-1-17.000.
 - Motion to open the public hearing by Cantwell- Jackson Second: Reilly
Pelletieri asked for a Roll Call Vote.
Roll Call: Cantwell-Jackson, yes; Domenico, yes; Reilly, yes; Jackson, yes; and Pelletieri, yes. All in favor, public hearing opened.
 - Motion to close the public hearing by Pelletieri Second: Cantwell-Jackson
Roll Call: Cantwell-Jackson, yes; Domenico, yes; Reilly, yes; Jackson, yes; and Pelletieri, yes. All in favor, public hearing closed.

Board Action

- Application of: Mark Legeza and Michaelle Chojnacki, 67 Old Military Rd., area variance application seeking approval of one side yard setback variance to build a garage addition to primary residence, Tax Map Parcel #32.150-1-17.000.

Mark Legeza gives an overview of the project application. Seth, architect, states that it is right on the property line and the next adjacent house is 15 feet away. It is a limited location and the only other spot is in the front, narrowing the options, especially with the windows on the house and trying to retain daylight as much as they can.

Photos show: The same height as principal building, limited public view and set back. The west side shows the Pisgah steep sloped with a large bolder. The south side shows a large drop with a trailer currently being used for storage.

Applicant extended their driveway about 1 foot and paved it. Applicant also owns a vacant property nearby. Allie visited the site and stated that it is steep on the west and south sides. The north side has the driveway and is the front of the house, making it not permitted to build the garage in this location. Allie asks if they could put it on the other lot. Bill also asks what the easiest approval is to grant and that the driveway area would be the best spot to put it. Meg states that they could put it next door but questioned whether they would want that. It will fit fine in the driveway spot. Dan says the Paschke's (neighbors) say it is improving their property. Allie comments that the neighbors may not live there one day and that it isn't about the people but more about the land, this is based off of the NYS DOS. Katrina states that if there is any construction ever needed it would need to be done on their neighbors' property. Mark said there is a lot of rock on the hillside and stated he had used some sort of excavator at the end of the driveway. Dan stated it was a mini excavator. Seth commented that it would have to push into the earth significantly. Bill asked if it was going to be a standalone apartment and Mark answered no. Meg stated that the west side is right up against the house and that could be possible. Allie said he could jack hammer it. Mark answered that there are four windows on that side of the house that would be covered up. Bill asked if there are any emergency exits, where and how are they being accessed. Mark said that there is a door near the deck and there is access towards the garage and can take the back door. Bill stated that there is nothing stopping someone from walking around the building then.

Allie reiterates that the state sets the zoning which is used to determine the application results. Katrina comments that if this addition is built, there will be no more structures allowed on the property moving forward based off of the code. Seth asks if the building was on the slope versus the front would there be any lenience? There are not many flat spots to include the addition. Katrina states if there are two contingent properties it can't just be a garage on the other lot, they would have to merge the lot. Meg says to use the driveway and make a breezeway, still having parking but not dealing with the variances. Seth says it is flat there but it would alter the character of the house and then be closer to the other neighboring house, creating a negative design to the other house then. Allie asks how much space is between that house and the applicants house and Mark says around 20 feet. Bill asks how the applicant located the property lines and Mark answers that he had Stacey mark them. Bill asks if the measurements are from the roof and Seth says the façade is flat and the measurement was taken at the furthest edge. Bill said, so there would be zero overhang to the neighbors. He said to the board, does the decision for approval need to be unanimous? Allie said it will require a quorum. Tim asks if anyone has seen a zero-foot variance for houses come to the development board before. Allie said he had seen ones like this depending on the district. Bill says in this situation, spend the money on exploring another spot. Also, the neighbor is in favor. Mark comments that there is privacy to and from neighbors. Bill responds that it does limit the neighbors use of their land. Seth responds asking if the building was set back more

so a formal fence and appearance is do able. Also, it is fire rated so it wouldn't cause fire issues for the neighbor. Bill said to find a way to get the building off the property line. Seth said he would need to side bar with Mark and Michaelle. Mark responded that a foot wouldn't be bad but not 5 feet, then it's impractical. Bill suggests to table and explore more of the hill and driveway options. Allie agrees with this possibility. Meg states that she would want it on the blacktop area, has a 15 ft setback, no zoning and no digging. Seth responded that it would be a bad architectural design because that would require interior rearrangements. Mark also said that is 13ft from the boulder to the hill, and it's steep. Seth asked what the timeframe would be and Katrina responded that the development board meets monthly. Allie said if they table it, he won't have to pay. He also stated that the garage goes with the land, not a deterrent to the neighbors. It is a substantial request and there is no impact on the environment. Maybe drainage. He suggests to table and explore the options. Meg agrees to table. Understanding it is a hard area to build. Dan asks what if they come back with a hardship? Katrina responded then it would go to vote. Dan said there can be a vote with conditions. Tim liked the design that the runoff would be to the back and not on the neighbor's property. Still feels like it's close. Dan commented that a lot of the houses throughout the village are super close. Meg stated that the footings need to be 60 in and not 48 in inside the Village. Bill said they are asking something too substantial. Seth said that they would lose access to the basement if moved. Mark also states that there is a foundation under the porch/pantry. Meg said if someone is going to buy the property in the future, they will know it's there. Tim agrees. Allie said it could also be sued against them. Katrina said that Zone H3 should consider adding dwelling units to the area. She said her and applicant had discussed having this in the future but it is detached from main house there would be another process and meeting on that. Tim said if it is detached it may be better in the back of the house. Bill asked Mark, what would you like us to do, would you want restrictions or tabling and are there any conditions you would do. Mark answered that narrowing it down by a foot is still viable. Was unclear on why they would want him to explore the side of the mountain and what they are looking for exactly. Katrina recommended that the applicant receive a cost and recommendation on where to dig. Mark was concerned that the other spot wouldn't be able to be attached. Bill saw a photo of the hill with no disturbed trees and suggested to really do some digging into the hill to show down trees, etc. Tim asked Mark if it wasn't attached would he not want it then. Mark said the entire idea is to have it attached and maybe upstairs have a potential bedroom. Seth said having it attached makes it more viable, with efficiency and flow. Dan said he has never come across a requirement to cut trees to come back to the board. Meg asked what would be acceptable? Dan said to get the two estimates from Steve Martin for the ledge and current location. Seth stated that there would be a cost increase at least by 30%-40% most likely. Mark said that he currently has a quote at \$120,000-\$150,000. Bill said he would happily grant any other variance and it would currently be a no vote from him. Katrina proposed a 6-inch setback off property line. This should be what we vote on tonight. Approval of project with condition to take back 6-inch off property line. Mark said he wouldn't start the project until the spring. Allie said he is not going to make the motion. Dan makes a motion to approve the plan with 6 in off set. Failed motion.

- Area Variances are a Type 2 action pursuant to SEQR. No further SEQR decision is required.
- Motion to table with the possibility to revisit the Area Variance for a side yard principle building addition.

Motion: Domenico seconded by: Pelletieri

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, no; Domenico, yes; Reilly, yes; Jackson, yes; and Pelletieri, yes. All in favor, declaration moved.

C. OLD BUSINESS

D. NEW BUSINESS

- Development code changes continue.
- Townhouse code continues, connecting with the housing committee.
- Lofts- waiting to hear back on an update and will send over any info tomorrow.

E. ADJOURNMENT

Motion to adjourn the meeting.

Motion: Reilly Second: Jackson

Pelletieri asked for a Roll Call Vote.

Roll Call: Cantwell-Jackson, yes; Domenico, yes; Reilly, yes; Jackson, yes; and Pelletieri, yes. All in favor, meeting adjourned.

Meeting was officially adjourned at 6:50 PM

Meeting Minutes prepared by; Community Development Assistant, Bayle Reichert