

1 STATE OF NEW YORK: SKANEATELES PLANNING BOARD:

2 COUNTY OF ONONDAGA: TOWN OF SKANEATELES:

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4 In the Matter of:

5 A Public Information Meeting before
6 the Town of Skaneateles Planning Board
7 to review the 9-lot subdivision,
8 Hidden Estates, at Tax Map #36.-01-37.1,
9 East Lake Road, Skaneateles.

8 Donald Spear, Applicant.

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10 A Public Hearing in the above-matter conducted
11 before the Town of Skaneateles Planning Board,
12 held at the Skaneateles Town Hall, 24 Jordan Street,
13 Skaneateles, New York, 13052 on **Thursday,**
14 **November 8, 2018, at 6:30 p.m.**

13 Town Planning Board present:

14 JOSEPH SOUTHERN, Chairman, and members:

15 DONALD KASPER SCOTT WINKELMAN
16 DOUGLAS HAMLIN

17 Clerk: Karen Barkdull
18 Board Attorney: Scott Molnar, Esq.
19 Town Planner: Howard Brodsky

18 Also present: John Camp, P.E.

19 APPEARING FOR Applicant: BY: JOHN R. LANGEY ESQ.
20 (Hidden Estates) Costello, Cooney & Fearon, PLLC
21 500 Plum Street, Suite 300
Syracuse, New York 13204

22 Also Present: John Spear, Applicant
23 Robert Eggleston, Architect

24
25 Reported By:
Patrick J. Reagan, CSR
Court Reporter

1 CHAIRMAN SOUTHERN: Okay. All set. We will call
2 the meeting to order. It's 6:30.

3 The purpose of the meeting this evening is the
4 continued review of the application on the Hidden Estates
5 subdivision. To be more specific, this Board is charged
6 with, under State regulations and under SEQOR law, to -- and
7 every application -- for a subdivision, with regard to
8 compliance to the various SEQOR laws that are out there.

9 What we need is, what we need is information.
10 And then all the information we can gather from you folks,
11 things that, you know, that we might overlook, things that
12 we can take into consideration in our, as we review the
13 environmental impacts of this project. You people that are
14 in the community, especially those that are nearby, have
15 probably the best feel for it. And we would like to get
16 your input.

17 The purpose of the meeting is not generally for
18 us to answer questions. The Applicant may choose to answer
19 at the conclusion of our rounds of speaking. But it's not
20 necessary. The Applicant will be providing written
21 responses to all comments that are made here this evening.

22 Scott, with that, would you like to contribute
23 anything?

24 ATTORNEY MOLNAR: No, I think that's an accurate
25 summary of the purpose of the meeting, for the Board to

- Hearing - Molnar -

1 obtain public information from interested parties
2 concerning Hidden Estates.

3 I think we have considered the format of the
4 meeting to first allow the Applicant to present a brief
5 summary of the overall proposal, the project, and its
6 particulars; and followed by public information from
7 interested parties who would like to speak, or otherwise
8 provide comment.

9 And then with the closing, having the Applicant
10 provide responses if it's readily available information
11 that can answer any question posed.

12 And then subsequently, have the Applicant provide
13 a formal written response. I think that's the perfect
14 summary of this evening's agenda.

15 CHAIRMAN SOUTHERN: All right. Karen, do we have
16 our list of people who would like to speak?

17 BOARD SECRETARY: Yes, sir.

18 CHAIRMAN SOUTHERN: We are going to restrict
19 opening comments to three minutes. After we have completed
20 a round of speakers, you will be given a second opportunity
21 to speak for a shorter, well, amount of time. But we would
22 like to get everybody's comments. I would to give you
23 enough time but we don't want to, you know, really drag
24 things way out. If someone has given a very thorough
25 explanation of something or has expressed your concerns,

- Hearing - Southern -

1 feel free to get up and say: "I agree with what John Smith
2 said; and I support him all the way." Try not to be
3 repetitious, you should avoid it. Just to keep things
4 flowing well.

5 All right. First on our list for comments is
6 Molly --

7 ATTORNEY MOLNAR: If I may?

8 CHAIRMAN SOUTHERN: Go ahead.

9 ATTORNEY MOLNAR: Mr. Chairman, I would recommend
10 that the Applicant have an opportunity.

11 CHAIRMAN SOUTHERN: I am sorry. Jumping too far
12 ahead.

13 ATTORNEY MOLNAR: For the proposal.

14 MR. EGGLESTON: Karen, you have the conservation
15 analysis to start with.

16 BOARD SECRETARY: Yes.

17 MR. EGGLESTON: Bob Eggleston, architect for Don
18 Spear and Hidden Estates. And we have worked on this for a
19 number of years. We have gone through a number of
20 different options. And this is where we are today.

21 Lot 3 is a total of 80.91 acres, and it's served
22 by a common, shared, private driveway. And this is the
23 area right here. Okay. It's about 81 acres, okay? Has a
24 shared driveway that has, two lots that have been built on.
25 Plus there is a third house that uses this common driveway.

- Hearing - Eggleston -

1 The conservation subdivision that we are
2 proposing will add eight additional building lots, with a
3 large conservation easement on the remaining 90.3 percent
4 of the land, or 73 acres. So, you will see in the plan
5 where the conservation land will be.

6 We had two different landscape architectural
7 firms identify the high value conservation land, and do a
8 conservation analysis. And this development does not touch
9 any of the high conservation land. No other potential use
10 for the land can be provided for this level of protection.

11 So, going through, we first looked at the steep
12 slopes. And what we have is some, along the existing
13 driveway, over 30 percent which is in the red which is high
14 conservation area. We have then 20 to 30 percent which is
15 the medium, yellow. The light yellow is 12 to 20 percent.
16 You have to remember, Town code allowed one to build in up
17 to 30 percent. When it's over 12 percent, you have to do
18 some precautions. And then the green areas are less than
19 12 percent.

20 The next slide there, we then looked at the
21 protection of farm land. So, the red land is, we have
22 preserved, already preserved agricultural, land has been
23 put in conservation. So we have preserved agricultural
24 here. We have agricultural here. I believe some of that
25 may be put into conservation, or will be. We have

- Hearing - Eggleston -

1 unfragmented forest land here at the top. We have some
2 abandoned agricultural land there.

3 So, we have put the high conservation for that in
4 this area. We have medium. This is overgrown meadow in
5 that area. And then this is maintained meadow which is low
6 conservation for this element.

7 The next slide. We then looked at a viewshed
8 analysis. The Planning Board asked us to look at it from
9 three different perspectives. This is looking at it from
10 East Lake Road at the bottom entrance of the property,
11 looking straight up. So, the yellow, medium conservation
12 value is this area that's visible; all of this area behind
13 is not visible, so it's low for that.

14 Going to the next one, we then looked at it from
15 East Lake Road, north of Pork Street. So we are, okay, we
16 are way up here, looking back. So, you can't see any of
17 this land. So that's low. You can see this a little bit.
18 You can see this, which is really the ridge line, is what
19 you see from Pork Street looking back over. So this is
20 high conservation, medium, low.

21 The next one is from across the street, over near
22 the boat launch. So, this is the property over across
23 here. Basically, you see this meadow a little bit, so
24 that's medium. You definitely see, this is important, this
25 is the ridge line that -- you really don't see this because

- Hearing - Eggleston -

1 it goes up, flattens out. It goes back up again. So again
2 we have high, medium, low.

3 The next slide, the next area is -- water course
4 and wetlands. There is an area of some wetlands up in,
5 come up, up in the red areas. So, okay, so plus we have a
6 stream coming along this edge here. And we have a stream
7 coming along here, where we have the stream or the
8 wetlands. We have made it red. We put one hundred foot
9 buffer on it and made that yellow. The rest is green.

10 If we could go to the next slide? Okay. So what
11 we did is a composite map. And we overlaid all the prior
12 six pieces of conservation value. So what happens is,
13 where you have this area, none of this had any high
14 conservation area, or medium. This has different levels of
15 medium conservation, in that area. This is really what has
16 the high conservation, where it's very red. It falls under
17 two or three different categories where it's lighter red or
18 orange. It's really just one level. So, based on that, we
19 put together a composite map.

20 And if we go to the last one, this is our
21 proposed conservation analysis for the property. At the
22 request of the Planning Board, we added additional -- at
23 the request of the Board, we added, even though this only
24 came up medium conservation, we made that high
25 conservation, the areas around the road on that slope. But

- Hearing - Eggleston -

1 really, most of the high conservation area is back in this
2 area. This is medium. There is a small area of high
3 conservation, and location there.

4 So based on that, we are showing, and this is a
5 little bit earlier, there is a later version after this.
6 We are showing the approximate locations of the building
7 sites, keeping them out of the high conservation area. And
8 so they are only in the medium or low conservation areas.

9 You can go to the sketch plan. You can go to the
10 sketch plan, though, a conservation subdivision -- whereas
11 two acres is the normal density in the Town of Skaneateles
12 for development, our conservation subdivision requires an
13 average of six acres per lot. Where the conventional, open
14 space allows two acres per lot, Hidden Estates is nine
15 acres per lot, density, far exceeding the standards.

16 The project is consistent with the comprehensive
17 plan, specifically, Goal 2, Objective 1, Action a, c, d,
18 and e.

19 The nine lots are clustered together. Thank you.
20 The nine lots are clustered together.

21 Can you go to the second, page three that shows
22 the whole lot. There we go. So we basically clustered the
23 houses including the two on lots 1 and 2, we have clustered
24 those together in this less steep area. And there is no
25 building area. The building envelope does not enter this

- Hearing - Eggleston -

1 small little red area, or the red areas here. So all the
2 building envelopes are outside of the high conservation
3 area.

4 And so what it does is it's preserved really the
5 back half of this property, which is very important.
6 Because, especially from across the Lake, that's the ridge
7 line that you see that wants to be uninterrupted.

8 So we put into conservation on Hidden Estates the
9 land that's adjacent to the other conservation areas that
10 are around here. So again, this is a continuation of it.
11 It expands these areas that are already in conservation or
12 are being used for farm.

13 The integrity of the wildlife habitat will be
14 maintained within the large, non-fragmented conservation
15 areas adjacent to other conservation areas.

16 There are -- no mature trees will be removed from
17 the building envelopes. The building envelopes are in
18 green.

19 All the building envelopes are placed such that
20 no structure will be higher than the eastern ridge line,
21 over here.

22 There is no original steep sloped areas (greater
23 than 30 percent) will be disturbed with the road or
24 building envelopes.

25 The existing common driveway -- can you go to

- Hearing - Eggleston -

1 Rudy Zona's drawings? Okay. The existing common driveway
2 has been re-engineered to exceed the minimum requirements
3 for a private conservation road. We have achieved no
4 greater than 12 percent for the maximum slope. We have
5 berms or guide rails on the sides of the roads. The
6 pavement for the road surface is 18 feet wide, which is 138
7 percent better than the required width. We have created
8 26-foot wide pullouts for firefighting equipment at water
9 storage sites, and at the hammerhead. We will show you
10 those items when they come up.

11 There is no re-grading the bank -- or regrading
12 the bank at the lower curve -- which was identified as a
13 problem, and it now conforms to the conservation road. We
14 have also designed the turning radiuses to far exceed the
15 standards for the code.

16 Another item that's unique to this is we did have
17 a conversation -- several conversations with the
18 Skaneateles Fire Department. And I am getting ahead of
19 myself. We have two 10,000 gallon water storage tanks that
20 will be provided in two locations for firefighting. There
21 is no other subdivision without public water that provides
22 this level of fire safety.

23 There is no sitework excavation material needed
24 to be removed from this site. The existing storm water
25 system is working currently as designed, and this was

- Hearing - Eggleston -

1 verified by the Town engineer. It will be maintained
2 during the road alterations, and it will provide erosion
3 control and protection of the watershed both during the
4 road alterations and after the road is completed.

5 The existing driveway entrance on East Lake Road
6 will be completed to the New York State DOT standard specs
7 as Lot D, (Goldmann's lot) was to be completed ten years
8 ago.

9 There is no new curb cuts required on East Lake
10 Road.

11 Shared lakefront recreation is not a part of this
12 project.

13 And the road and storm water maintenance
14 agreement will meet or exceed the requirements of an HOA,
15 and will be managed by the residents, through private
16 driveway agreement -- I am sorry -- through private
17 driveway agreement, which is allowed by Town Code.

18 Go back to my plan, please, okay. Look at the
19 blown up one at the top here. Thank you. So basically,
20 what we have done to lower the slope is that instead of
21 swinging around here, we have actually come up and around
22 like this. It gives us more length to decrease the slope
23 to 12 percent. There will be a berm along this side so you
24 don't fall off the side. There will be a guide rail here
25 so you don't go into the ditch. That provides the storm

- Hearing - Eggleston -

1 water down to the storm water pond at the bottom. We have
2 storage tanks. We have ten thousand gallons of water
3 stored for firefighting, and a turnout that's 26-foot wide
4 so a fire truck can pull up next to this to pump out of the
5 tanks. We have also have another tank here that provides
6 water for firefighting. And there is a hammerhead that
7 exceeds the Town standards and meets with what the Fire
8 Department was looking for.

9 So, just a reminder to everyone present, that
10 this is currently not protected open space. This is
11 privately owned land which has the inherent property rights
12 with it.

13 There are three possible future uses of the land:
14 Okay. We could return back to active agricultural, likely
15 it will be viticulture, with its associated fertilizers,
16 pesticides loads, and inherent water quality impact. We
17 could grow grapes.

18 We could do a 17-lot open space subdivision which
19 we had shown the Planning Board at one point during this.
20 We just make the road a little wider. We could have 17
21 lots up here.

22 And/or we could do the current 9-lot proposal
23 before the Board which puts over 90 percent of the land
24 into conservation easement.

25 Okay. Thank you.

- Hearing - Elliott -

1 CHAIRMAN SOUTHERN: Thank you, Bob. Now are we
2 all set, good to go?

3 ATTORNEY MOLNAR: Yes.

4 CHAIRMAN SOUTHERN: Okay. Calling on our first
5 speaker. Molly Elliott. Three minutes, Molly, if you
6 please.

7 MS. MOLLY ELLIOTT: Molly Elliott. 125 Orchard
8 Road. I was a realtor on the project for most of it.
9 After you just heard it, we tried for several, couple years
10 to sell the 80 acres. We tried a lot of different things.
11 I even gave up -- giving it to another realtor that just
12 deals with land. There was really zero -- we tried many,
13 many avenues. I did sell to Weaver and Nangle. There is a
14 beautiful -- they both have beautiful views. I do feel
15 like Don has scaled it down tremendously to make use of the
16 land that's best for him, you know, to sell it.

17 It is a 9-lot subdivision. We have all seen
18 cluster subdivisions. We have, in Skaneateles, the
19 enhancement out there, I listed it as well. You don't feel
20 your neighbor is on top of you there. This is like, like
21 three times the land that each lot is going to have. So, I
22 understand the privacy up there. I am sure that the people
23 that are up there now that you are enjoying, but I really
24 don't feel as if, with these amount of lots, that he's
25 asking for, it's not going to feel like you're on top of

- Hearing - Elliott -

1 people. I think you're still going to have the open-space
2 feel. And I do think it's a good project for Skaneateles.

3 I definitely believe in preserving the Lake, 100
4 percent. I felt like we have the professionals. I feel
5 they have gone above and beyond, the past four years, going
6 in front of the Board, several ideas and trying, the
7 professionals making sure that we preserve the Lake,
8 preserve the runoff, protect you know the road.

9 And since Don re-did that road, there was at one
10 time a tremendous amount of water would flush into this
11 Lake. Where, after the last couple storms that we have
12 had, you can see that it really has stopped a lot of that
13 runoff going into the Lake. I do feel as if he has gone
14 the extra mile of really trying to do the best way for
15 Skaneateles for the, you know, in having the professionals
16 really do their job and look into this extraordinarily a
17 lot, like tons of plans to make that, they're protecting
18 the Lake and everything like that.

19 So I feel definitely in favor for it. I think he
20 really gave his best foot forward to try to sell it as an
21 80-acre look, so he could make everybody happy that's up
22 there. Unfortunately, we just couldn't fill that task. So
23 I do think that this project will sell, and I think that
24 the Town could use it. There is not a lot of lots for
25 sale. So I am definitely for it. And I think he's really

- Hearing - Elliott -

1 put a good foot forward in trying to please people.

2 BOARD MEMBER WINKELMAN: What was the 80 acres
3 listed at, Molly?

4 MS. ELLIOTT: We just had it down to 1.1.

5 BOARD MEMBER WINKELMAN: Originally, it was
6 where?

7 MS. ELLIOTT: 2.4? And certainly when we have
8 shown, we certainly have -- people can ask for whatever
9 they want. We never turned down an offer. They just sold
10 you know, Simmons lot went over two million dollars.

11 CHAIRMAN SOUTHERN: Okay, thank you, Molly.
12 Moving on. Tim, Tim Taylor? Jim?

13 MR. JIM TAYLOR: Yes. Jim Taylor. Yes, we live
14 at 2951 East Lake Road, Skaneateles, and have farm land
15 that you know undeveloped land of 40 acres that borders the
16 northern property line of said property. We have had the
17 property for, since 1948. And all was looked at the
18 section of highway, is per mile of hillside as being
19 unperkable and shale developed. So any type of runoff
20 really doesn't stick into the ground. It dramatically
21 affects and could possibly affect the Lake.

22 Selfishly, because we lived here so long, I have
23 this pride and desire to keep the land as good as possible.
24 I think in the last two or three years, with the extreme
25 weather conditions, rain and otherwise, that the conditions

- Hearing - Taylor -

1 that I have never seen before. Like my cousin lives down
2 in the south end of the lake. Their whole hillside
3 collapsed and pretty much almost destroyed the boathouse.

4 So I think there is a danger with the hillside
5 effect. I think there is a danger with the shale. And I
6 think, I can't understand how you would address the beach
7 front with nine families going back and forth. And also
8 the conditions of water and standards down there. So I
9 just wanted to be here and formally oppose the project.

10 CHAIRMAN SOUTHERN: Thank you. Connie Brace?

11 MS. CONNIE BRACE: Yes. I live at 15 Kane
12 Avenue. So I am not a neighbor of the property. But I did
13 want to review the requirements that the Board has to go
14 through before you even get to this process. And as I
15 wasn't as familiar with what was proposed, I was concerned
16 about the density of what was proposed in the context of
17 its neighborhood.

18 And in reviewing the special permits and site
19 plan review, I found that it states that the Town of
20 Skaneateles, it's the policy of the Town of Skaneateles to
21 "allow a variety of uses of land, provided that such uses
22 do not adversely affect neighboring properties, the natural
23 environment or the rural and historic character of the
24 Town."

25 And I personally believe that I think this is a

- Hearing - Brace -

1 bad move for the neighbors, for the rural environment, and
2 the character of the area. So I think it's been stated by
3 many neighbors prior, and will be again tonight, to have a
4 negative impact.

5 In: Considerations in granting or denying
6 special permits, as from the Code, Section 148-16: Major
7 projects -- which this is -- Before granting a major
8 project special permit, the reviewing board shall make
9 specific written findings that the proposed major project
10 -- and then there are a number of elements. And that one
11 of them, first one, is that: The provisions and
12 requirements of the local laws and regulations will be
13 consistent with the purposes of land use district in which
14 it's located, and with the Comprehensive Plan.

15 Now it is my opinion that it doesn't comply with
16 the Comprehensive Plan because the Comprehensive Plan says
17 that developments of this nature shall be positioned to the
18 north, where we have sewage and water, and you're asking
19 for this property to be modified extensively to provide
20 those services.

21 The next item that I noted: It will not cause
22 undue traffic congestion, unduly impair pedestrian safety.
23 And I believe that this is a congested road access onto 41.
24 And there is no mention of pedestrian safety, that I have
25 seen. Not that I have been present at any of the other

- Hearing - Brace -

1 meetings. But I haven't heard anything about how people
2 are going to get across a highway. That people travel at
3 high speeds, and the number of people that are proposed to
4 share this waterfront, which was denied, by Mr. Eggleston
5 as being part of the project. I don't understand that.

6 I understand you have addressed the police and
7 fire and emergency vehicle apparatus, although I am not
8 convinced that, really, given the steep characteristics of
9 the property, that this is fully addressed.

10 And then it says: Will not overload any
11 drainage. One of the things of public water drainage or
12 sewer systems, we have seen a history of drainage problems
13 with this project, with this property, and its development.
14 And given climate change and increasing storm intensity,
15 the property should be provided with a more robust approach
16 to storm water detention.

17 CHAIRMAN SOUTHERN: If I could interrupt you
18 there?

19 MS. BRACE: Yes.

20 CHAIRMAN SOUTHERN: Your time has expired.

21 MS. BRACE: See, I was trying to go fast. Thank
22 you.

23 CHAIRMAN SOUTHERN: Yes, it does. From David
24 Nangle.

25 MR. DAVID NANGLE: Yes. David Nangle. I am the

- Hearing - Nangle -

1 neighbor up there. Pretty much the only one. And this is
2 the woman I fell in love with, and she turned out to be a
3 bitch. Unfortunately, this has been nothing but a headache
4 since for us, having gone into this with our eyes wide
5 open. It might have been a different story. Right now,
6 there are water issues. Neighbor gets 2.5 gallons a
7 minutes. I get five. But when pumped, I don't get five.
8 If I water my grass for two hours, my well is dry.

9 Could I have just, I have a video showing me
10 doing this. This is the water I took out of my pressure
11 tank before I left today. (Indicating jar exhibit.)
12 It's clearly clay. It's -- and the actual aquifer is not a
13 good one. Why isn't it good? Because it's shale, and it's
14 clay. It's actually called an aqua tard [ph]. And what
15 that means is that as we go through, on the Thruway, we see
16 little trickles of water, we are getting little trickles of
17 water through the shale. In a dry year, that clay cuts
18 those off. So I am basically looking at a well that within
19 five to ten years, it could be dry again. These are just
20 little tiny things, we are getting that's trickling water.

21 You're going to add nine more lots and take it
22 away, if you allow this. I say they dig at least two test
23 wells and have them pump-tested, so that I know the amount
24 of money that I have in my property is going to stay there,
25 and I am going to be able to get water. That's a \$7,000

- Hearing - Nangle -

1 system. You can take just about anything out of water, but
2 blue algae. Thank you.

3 CHAIRMAN SOUTHERN: Thank you, Dave. Robert
4 Liegel?

5 MR. ROBERT LIEGEL: Yes.

6 MR. NANGLE: By the way, do not drink that water.

7 MR. LIEGEL: I guess my summary question is: Why
8 are you still reviewing this project? It should have been
9 denied a hell of a long time ago. Because some of the
10 basic things that are needed for this project, including
11 water, just doesn't appear to be existing.

12 Also, you have got a downhill slope. Everything
13 runs into the damn Lake. And it's not clean anymore.

14 I have been involved with the Lake Association
15 for a lot of years. And frankly, you're fighting us.
16 Because the nutrients that are going to come off of this
17 property are going to feed the invasive species milfoil.

18 Do you have any idea how much the Lake
19 Association spends each year to get rid of milfoil? About
20 a quarter of a million dollars from donors. And they
21 shouldn't have to have that. But they are having it
22 because developments like this are creating an enormous
23 amount of runoff that goes right into the Lake.

24 And how they are going to -- how are you going to
25 provide ten thousand gallon tanks? Doesn't do much for

- Hearing - Liegel -

1 fighting a fire.

2 And all of these things should have been
3 considered a long time ago, and very basically.

4 And this, my request to you, deny this thing in
5 its entirety, and send a message to any other developers,
6 that they can't get, they can't just do anything they want
7 to do in Skaneateles.

8 That Lake is not clean. I have been here since
9 '68. And it's a hell of a lot dirtier now than it was when
10 I first came here. And it's because of these kinds of
11 developments. Widening a road creates greater runoff
12 opportunities. So, it doesn't make sense.

13 You have got plenty, you have ample reasons in
14 the zoning law to deny this application. It should have
15 been denied at the beginning. Why beat yourself up
16 constantly listening to all of this stuff, when in fact
17 they are violating the zoning law in a number of
18 provisions.

19 I handed up my notes to you before. So
20 hopefully, your scribe will not have to copy so much.

21 Very frankly, this application is basically
22 fighting the Lake Association on trying to clean up the
23 Lake and keep it clean. It doesn't make sense. Thank you.

24 CHAIRMAN SOUTHERN: Thank you, Dick. Joseph
25 Schoener?

- Hearing - Schoener -

1 MR. JOSEPH SCHOENER: Schoener. I have got -- I
2 have used the Spear property, recreationally for over ten
3 years now, and watched all the improvements and
4 developments. My wife and I have known Don and Pam for a
5 long time. And as I have watched the improvements that
6 have been done, I see them as being done in a quality
7 fashion. And methodically. And so you could see the
8 impact of what's happening there. The pace seems to me to
9 be responsible and has an eye on evaluating the impact. It
10 seems like it's a conscientious eye on being
11 environmentally and aesthetically, you know, aware.

12 I have had a daughter that I want to move back
13 into the area. Her and her husband are interested in our
14 home. We own on the Lake. So I am very interested in the
15 value of the Lake and what's being done to the Lake. And I
16 would like to build a home somewhere, not to the -- the
17 Nangle's. But there is not many building lots. And one of
18 them, a lot in the development that's being done this way,
19 would be attractive to my wife and I. They are hard to
20 come by and hard to find.

21 And it seems to me, as I watched this being done
22 responsibly, I don't know all of the issues, but I would
23 like to understand the restrictions. Because I am
24 affected, affected in wanting to find ways to bring people
25 like my daughter back.

- Hearing - Schoener -

1 And I think the taxpayers increase. And the
2 number of taxpayers into this community could help us deal
3 with some of the issues, that they can make sure the Lake
4 stays healthy. I think we need that tax base. And I would
5 like to enhance it. So that's my take.

6 CHAIRMAN SOUTHERN: Thank you. Ted Kush?

7 MR. TED KUSH: I am a friend of Don. Using the
8 80 acres recreationally about ten years. And a couple of
9 things to see. I would like to see more developments of
10 this nature. We need to welcome more people to Skaneateles
11 into our schools. Our property taxes keep going up. And
12 that's making this community more and more expensive, as it
13 grows older and less diverse. We need to expand our
14 property tax base. This proposal adds nine homes to the
15 community, ultimately, more than \$100,000 per year in
16 property and school tax receipts, and costs this Town
17 little for the costs of the services.

18 Unlike the Loveless Farm development -- I opposed
19 that, I don't oppose this because they are protecting 90
20 percent or some percent of the land. They are not
21 developing in the high conservation areas.

22 This project has been revised and improved for
23 years. And I think this effort should be applauded and not
24 vilified.

25 Blanket opposition to good development does two

- Hearing - Kush -

1 very damaging things: First, it lessens the impact of
2 criticism where it is actually warranted; and Second, it
3 tells developers that the cost and effort to do things
4 right, gains them nothing.

5 This is the kind of development that we should
6 encourage, and it follows the Comprehensive Plan for
7 developing in the watershed. Thank you.

8 CHAIRMAN SOUTHERN: Tim Lambrecht?

9 MR. TIM LAMBRECHT: Tim Lambrecht. It took a
10 while to figure it out myself. I am with the Vlassis Law
11 firm. I represent CPCS -- Citizens to Preserve the
12 Character of Skaneateles. I promise you, I know that you
13 -- I promise you, I forget that every time I mention it, I
14 have written you two letters. I don't need to read the
15 letters to you. You have them. Hopefully they are part of
16 the record at this point.

17 CHAIRMAN SOUTHERN: They are.

18 MR. LAMBRECHT: So I really just want to focus on
19 maybe a couple things that will aid you, and maybe aid
20 others in this determination. I think one of the sources
21 of frustration is that there has been sort of a lack of
22 transparency with current members of Hidden Estates.

23 Two of the things we mentioned to you, I touched
24 on in my last letter, was the concept of easements, and
25 what's going to happen with the shared waterfront access.

- Hearing - Lambrecht -

1 And my understanding for the first time that there is going
2 to be no issue with easements. This was a little unclear,
3 what the architect was saying.

4 And another question is really the homeowners
5 association. We would be hopeful that those documents are,
6 those kind of legal analyses would be shared with, if not
7 me, at least with the stakeholders so that folks can make a
8 determination about whether or not this is something they
9 can live with or not live with. It's -- frustrating to see
10 the process -- write these letters and not see any
11 responses, although we have been fighting it.

12 That's my comments. I'll let other speak because
13 I think they can talk about what their concerns are. Thank
14 you.

15 CHAIRMAN SOUTHERN: Thank you. Holly Gregg.

16 MR. HOLLAND GREGG: Yes. Yes, I am Holly Gregg.
17 I am with the CPCS. I am work alongside the neighbors in
18 the area. And CPCS is very, very concerned about not only
19 this type of development, we fought very hard, and in fact
20 alongside Mr. Langey -- or Mr. Langey and Mr. Eggleston --
21 to oppose the Loveless Farm. And this is very similar in
22 its, you know, in its impact in the watershed.

23 I brought a photo along for you guys to look at.
24 This is a photo of the Lake. I don't know how to do this.
25 But anyway, I will try to stand here. I first show it to

- Hearing - Gregg -

1 you, but this is from the water across the way. The homes
2 that are being proposed are going to fit in this stripe
3 here. Down here on this little brown houses, the Marchuska
4 property and the Pajak [ph] property. Hopefully, you're
5 familiar with this, sort of, off the photo. The homes that
6 are, and the Nangle house right there, if you guys know,
7 you know, you have all been up there. That's really
8 getting up to close to the top of the knoll. The holes
9 that have been proposed now are sort of in this area in
10 this zone.

11 And I noted with interest that Bob Eggleston was
12 saying that the way the subdivision is being designed, none
13 of the rooftops will sort of stick out above the sort of
14 the tree line. Here is what I guess what he was saying.
15 The ridge line. But instead they are going to all impact
16 into here.

17 So, one of the many issues the CPCS has is the
18 impact this subdivision is going to change dramatically,
19 you know, the look of the rural character. And Connie
20 raised also, alluded to that. It's because, it's so
21 obvious to all of us who are paying attention to this, that
22 you know, you're going to just see a bunch of houses in
23 this area, in this stripe.

24 Now some people may not object to that. But I
25 think those of us who try to protect open vistas, the rural

- Hearing - Gregg -

1 character. And I understand that the basic concept of the
2 Comprehensive Plan is to push development of this nature
3 north of the town, and not to have it in the watershed.
4 There is reasons for that. Back before we had toxic algae
5 blooms, the primary reasons were to protect vistas and open
6 space and to cherish them and honor them.

7 Now, as Bob Liegel said, we have really distinct
8 problems with runoff as being created by all the housing in
9 the area. So again, I don't want to be redundant, but
10 there is a theme here. And CPCS is opposed to this.

11 I have videos for you to see. I saw a video
12 tonight that was sent to me which really is interesting. I
13 don't know if you have guys have seen it yet. I did send
14 out, CPCS sent out an e-blast that had some videos. This
15 one is different. This one showed, to me, it shows toxic
16 algae blooms in 2014. So, it's all green. It's all that
17 paint-green stuff. It's all right there at the base, in
18 front of the Goldmann house and the Woodruff house, down
19 there. The pink house.

20 So, I would be happy to email you that link. I
21 thought, for nothing else, it's very interesting to see
22 that it looks exactly like toxic algae.

23 CHAIRMAN SOUTHERN: Thank you, Holland.

24 MR. GREGG: Thank you. Thank you.

25 CHAIRMAN SOUTHERN: Thank you. Rachael DeWitt?

- Hearing - R. DeWitt -

1 MS. RACHEL DEWITT: Hi, everyone. For those of
2 you that don't know me, I am Rachael DeWitt. I am the
3 executive director of the Skaneateles Lake Association. I
4 have been asked to come speak to this topic. I am going to
5 redo my statement. Over the past couple decades, Central
6 and Upstate New York have experienced an increased number
7 of extreme precipitation events resulting in significant
8 and damaging storm water runoff. Over this same time
9 period, the Skaneateles Lake watershed is seeing increased
10 development pressure for both new and redeveloped
11 buildings. This combination of runoff and development has
12 resulted in a large influx of sediments into the Lake. The
13 Skaneateles Lake Association is concerned about any major
14 development of a subdivision in our watershed. Projects
15 such as subdivisions have the potential to negatively
16 impact our Lake.

17 The Planning Board should deeply investigate
18 development for the sake of the Lake, which has reached its
19 tipping point with respect to recurring toxic harmful algal
20 blooms that have popped up over the past two years, and we
21 expect them to continue if action is not taken. Experts
22 have shown that the nutrients that feed the toxic algae are
23 carried into the lake on the soils that drain from runoff
24 from farm fields, residential properties and new
25 construction in the watershed. Development will only add

1 to the problem if not carefully monitored on a daily basis.

2 Making the protection of natural features and
3 vegetation a priority will add in reducing runoff.

4 Encouraging or requiring vegetative buffers, rain gardens,
5 settling basins, permeable pavement, and tree ordinances
6 are a few best management practices that can reduce
7 detrimental impacts of runoff and erosion. The Board
8 should also take into consideration the topography, the
9 slope, soil conditions, degree of forestation and other
10 land characteristics in determining whether development
11 should or should not occur -- or at least determine how
12 much development should occur over a certain amount of
13 land.

14 If necessary, we suggest implementing penalties
15 for infractions of erosion and runoff control measures.
16 Allocating variances is another threat to our water
17 quality, and we request you keep these to a minimum. In
18 the long-term, these measures will help to protect our Lake
19 by keeping out sediments and nutrients. It will also help
20 to maintain shoreline property values.

21 There are many issues that threaten the quality
22 of our Lake. However, we can all be part of the harmful
23 algal bloom solution. The Town Board, Planning Board and
24 Zoning Boards can be the first line of defense in water
25 quality protection. We encourage you to place a greater

- Hearing - R. DeWitt -

1 emphasis on sediment, erosion and runoff control
2 initiatives when evaluating and approving development
3 applications. Thank you.

4 CHAIRMAN SOUTHERN: Thank you. Teresa Goldmann?

5 MS. TERESA GOLDMANN: Goldmann. My husband Paul,
6 we own the property in the front of the lot that we are
7 speaking of.

8 I understand that you believe that he built the
9 water retention for the runoff to divert away from the
10 Woodruff's, south of the property. And I appreciate that
11 you have come to look at the property and see that it has
12 been done.

13 At his request, and at his engineer's request,
14 when the road was established, they asked us to put a pipe
15 in to take water from the hill to divert it into that water
16 runoff. It doesn't work. The water sits out, on the other
17 side on the south side of that, on my property, runs under
18 my driveway. I have a picture that will show, it
19 undermines, the runoff under my driveway. It's actually
20 caved, it's only a year old.

21 If you come to my waterfront property, that I
22 bought from Mr. Spears, you can see that when I bought the
23 property, I had no lakefront. It was a hill. I now have
24 ten feet. You can stand on my property, and look up and
25 see under 41. I called the State about this because there

- Hearing - Goldmann -

1 is going to be a sinkhole some day. We lost three trees
2 on the lakefront property. One causing damage to my dock,
3 which we take care of, and we put it in.

4 Now the way the Lake, because we bought that
5 property for the lake value, it's not going to maintain its
6 value. It's going to, they are going to come and do some
7 kind of support work, we are not going to have access to
8 it. They are going to have take the stairs away that we
9 now use.

10 I really wish you would come out and look at
11 that, and to see the damage that the water runoff is doing.

12 I have pictures that show that that water
13 retention basin is not being maintained. The water has
14 washed away all the sediment, the shale. And the silt
15 fencing, that they put in, is exposed. It is, I understand
16 when they tell you that they are doing things,
17 engineering-wise, that will maintain it, it's not being
18 maintained. And that's my concern.

19 They are going to tell you they are going to do
20 everything to engineering standards. I don't care what
21 they are telling you. It's not true. Please come out and
22 re-look at it. And you will see that it's not being taken
23 care of.

24 CHAIRMAN SOUTHERN: Thank you. Claire Howard?

25 MS. CLAIRE HOWARD: I think that this project in

- Hearing - Howard -

1 its original state was a mistake. As a matter of fact,
2 it's locally called "Hidden Mistakes." I think it was a
3 disaster. It poured an incredible amount of silt and
4 nutrients into the Lake.

5 I have been up that road. It's very, very steep.
6 You almost need a gondola to get there. I think it should
7 not have taken place the first time around. And
8 considering nine more houses up there, considering what
9 everybody has said here, is sheer folly.

10 Where would we be if we had a dirty Lake? And
11 this Lake is getting dirtier. What's going to become of us
12 when we can't drink the water? What going to become of
13 property values? This is an amazingly big subdivision that
14 does not belong on high conservation land so close to our
15 Lake on such a steep slope. Thank you.

16 CHAIRMAN SOUTHERN: Thank you, Pam, or Claire, I
17 mean. Eva Doyle?

18 MS. EVA PAJAK: Hi. I am Eva Pajak.

19 CHAIRMAN SOUTHERN: I am sorry.

20 MS. PAJAK: 2896 East Lake Road. I am here
21 tonight to speak on behalf of Steve Datz -- who wasn't able
22 to be here -- and my husband Dan and I. We are co-owners
23 of the original 50-foot easement on Marchuska's property.

24 Earlier today, Steve Datz submitted to the
25 Planning Board a detailed synopsis of the Hidden Estates

- Hearing - Pajak -

1 access of property as it relates to this new proposed
2 subdivision and Lake access. We ask that you please read
3 his letter as it details the main iterations and background
4 on this issue at hand.

5 I will not reiterate the facts noted in the
6 document, only to condense the explanation so that our
7 joint grievances can be shared at this point.

8 As share owners of the original 50-foot easement
9 of 2887 East Lake Road, we submitted letters to the Zoning
10 Board of Appeals in June of 2011 expressing our concerns
11 and objections to the creation of a 40-foot wide overlay
12 easement that was created by Emerald Estates in March of
13 2011.

14 As noted in the letter from our attorney Robert
15 Germain, on March 23rd 2011, Emerald properties, in
16 violation of terms of our easement, granted the upper
17 portions of Emerald Estates an easement over our easement,
18 to allow lake access to an almost unlimited number of
19 upland future residents.

20 The developer, in essence, is skirting the
21 special permit requirements for shared use. I am sure it
22 is not the intention of the Town of Skaneateles to allow
23 unlimited shared use of waterfront parcels simply by
24 avoiding use of the homeowners association. Please let me
25 know if Skaneateles has in fact changed its position on

- Hearing - Pajak -

1 this matter, and is now allowing unlimited use of similar
2 parcels without a shared use permit simply by filing an
3 easement, so that I can change the advice we have been
4 giving to clients.

5 And his letter continued, but I won't -- that's
6 already on file.

7 CHAIRMAN SOUTHERN: Yes.

8 MS. PAJAK: Steve Datz submitted a similar letter
9 disputing the 40-foot overlay, on June 13th of 2011.

10 In conclusion, we have been disputing this
11 questionable overlay easement since 2011. The current
12 proposal is now attempting to expand the use of the overlay
13 easement to a total of 12 dwellings, on a 40-foot easement.
14 From our perspective, this approval would set a very
15 troubling precedent and may cause civil and or municipal
16 repercussions going forward. Thank you.

17 CHAIRMAN SOUTHERN: Steve White? Steve Wit?

18 MR. STEVE WHITE: You have called me worst
19 before.

20 CHAIRMAN SOUTHERN: Go ahead, Steve.

21 MR. STEVE WHITE: Thank you. I am Steve White.
22 I live kitty-corner across the street here. I still have,
23 in the summertime, up in woodland, which is up the road a
24 ways from Hidden Estates, driven by that property for
25 years. And the pink house used to be a house that the G.E.

- Hearing - S. White -

1 people in Syracuse owned, and let all their people come out
2 and use it all the time. It obviously is a single-family
3 now.

4 But at any rate, and two things that really
5 bothered me: One, which this lady just alluded to, was the
6 fact that over the years, the planning boards have been
7 smart enough to not allow people to buy a small piece of
8 property on the Lake and then develop on the other side of
9 the road or up the hill or some place, and allow tons of
10 access. I don't know if this developer changed his mind in
11 the last few minutes, before Bob made that announcement.
12 And I would like to hear him answer that question. But,
13 that shouldn't happen. There is no need for such things.

14 Dr. Spear -- Don Spear, pardon me, bought this
15 property on his own. There is no hardship involved here.
16 He created it himself. Crying the blues that they can't
17 sell it, can't sell it for more than he paid for it? Too
18 bad. It's not our fault.

19 And it's obvious, that in the past development,
20 the developer has not been faithful to what he said he
21 would do. We have had tons and tons of problems with
22 runoff, with grade problems, with road washout. All of
23 that sort of thing. And it keeps on coming.

24 It's obvious tonight, we have heard people
25 indicate that when he said he would do, or didn't do or

- Hearing - S. White -

1 didn't do it correctly, why are we even thinking about
2 this?

3 I stand with Bob Liegel, and say I found it
4 ludicrous that you're even listening to any of this
5 tonight. It should be denied offhand.

6 And if he wants you to reduce it or start over
7 and do something a little bit more reasonable, fine. Isn't
8 it a wonderful thought that allows him to have their
9 conservation easement, and so forth, way the heck up in
10 back where nobody is going to use it anyway? The land
11 that's most vulnerable to giving trouble to the Lake and to
12 the runoff and so forth is exactly where he wants to put
13 the houses. And he's going to have driveways and all of
14 that kind of stuff. It is just berserk to even consider
15 such a thing. Thank you very much.

16 CHAIRMAN SOUTHERN: Thank you, Steve. It's the
17 only one that came off the chart. Dessa Bergen?

18 MS. DESSA BERGEN: Yes, I agree with what Steve
19 said. I was looking at the zoning code, and at 148.16,
20 there is a listing of considerations when you grant or deny
21 a special permit. For major projects, I encourage you to
22 look at No. 7. It says: "Will the project degrade any
23 natural resource, ecosystem or historic resource including
24 Skaneateles Lake or Owasco Lake." And No. 8, "Will it be
25 suitable for the property on which it is proposed,

- Hearing - Bergen -

1 considering the property size, location, topography,
2 individual particular soils" -- blah, blah, blah. It goes
3 on and on. You can do it. I don't know if you have done
4 findings yet. But, when you do your findings, I hope that
5 you will consider this and say that this is not a suitable
6 project. It's not a suitable project at the size and the
7 scale and the location that it's in. Thank you.

8 CHAIRMAN SOUTHERN: Thank you, Dessa. Gretchen
9 Messer?

10 MS. GRETCHEN MESSER: That's me. I wanted to,
11 One, acknowledge all of the individual issues, and
12 correlation to the Lake in terms of the development of it.
13 But then I want to step back and look at feasibility and
14 suitability. Is this project feasible? Anything can be
15 considered to be feasible. He can put in deeper wells. He
16 can have wetlands. He could have retention basins, he
17 could wind roads and make terrace feasibility isn't the
18 point.

19 Suitability. This site is not suitable for
20 development, period. Right? So, it has high runoff. It
21 has high slopes. It has poor soils for building. It's not
22 good for, those soils aren't good for building. It has a
23 perc water table -- you're going to have to go down 250
24 feet, right?

25 There is, there is other land. So we do need

- Hearing - Messer -

1 more residential in Skaneateles. That would be great. Not
2 on this parcel. There is other land that is more suitable.
3 This is not construction-suitable, no matter what you do.
4 Put a mansion, a castle, a tent. But don't go with the
5 tent. But that's about it. I mean, if you just ask, look
6 at the environmental constraints alone would limit the
7 suitability of this site for doing any work, regardless of
8 its nine houses. Regardless of size, setbacks and things.
9 It's the site itself.

10 There is a potential of -- I am going to
11 brainstorm -- how about if the Town buys the land, and
12 gives them land some place else that is more suitable?
13 What if it goes into a conservation easement? And he can
14 build some place else and do transfer of development
15 rights? What if we take some of the money for cleaning up
16 the Lake from Governor Cuomo, buy the land, build it some
17 place else, double the density? There are numerous
18 trade-offs. That was it.

19 CHAIRMAN SOUTHERN: Thank you. All right. This
20 concludes a round of speaking. I had a feeling a couple of
21 you may have wanted to go on a bit longer. If so, would
22 you stand and identify yourself? All right, Connie?

23 MS. CONNIE BRACE: Again, I am reiterating the
24 same things that Dessa spoke about in the same section of
25 the code. And so I just wanted to state, I agree with

- Hearing - Brace -

1 everything she says, which I agree with, what I said about
2 the lack of suitability of this project, due to the
3 property. And I just want to submit some additional
4 written comments for the record.

5 CHAIRMAN SOUTHERN: Thank you. Was there anyone
6 else?

7 MR. JUSTIN MARCHUSKA: Justin Marchuska --

8 CHAIRMAN SOUTHERN: No, we didn't get you on the
9 list, Justin. Go ahead.

10 MR. MARCHUSKA: Okay. I live 2887 East Lake
11 Road, Skaneateles. It's my second home. I am a commercial
12 developer. I develop properties all over, from Montauk,
13 New York by the ocean; to Ithaca, New York. And I know
14 what development is. And I see it a lot, people, where,
15 it's a very -- what's the word -- very stringent, such as
16 in Ithaca, and Lansing. I completed a medical facility on
17 Craft Road, off Triphammer in Lansing. Again, they are
18 very cognizant of the environment and how things are
19 treated. And this development is not a responsible
20 development.

21 I am pro-development all the time. 24 hours,
22 seven days a week. And this is just not a responsible
23 development. I am going to repeat what's been echoed, the
24 topography of the property. The easement. And what
25 brought me to Skaneateles and when I bought my home here is

- Hearing - Marchuska -

1 the way this community is run. It's run so well. I mean,
2 it's so clean. The Lake is wonderful. And I don't think,
3 as you know, I am an outsider. I wasn't born in
4 Skaneateles but I believe what you know Skaneateles has
5 done is created a treasure here. And to allow this type of
6 development, it's not the right thing.

7 If I was Don and I was building this, the first
8 thing I would have done, or if I was Bob Eggleston, I would
9 have met with the neighbors. Work something out. That's
10 how you make deals happen. I am a deal guy. That's how
11 you do it. You don't come to a meeting and butt heads like
12 this. That's not how it's done. You meet with people.
13 You discuss. You come to a middle ground. I do it all the
14 time. I had a project that I spent about \$200,000 to build
15 a facility for a BOCES. I have owned a -- of buildings.
16 I have leased a lot of buildings, over a million square
17 feet. The neighbors objected. I could have pushed it
18 further. I didn't. I backed away, because I am a
19 responsible developer. I said, you know, what the
20 neighbors objected to, I didn't build the development,
21 although I lost two hundred thousand I paid out, but I
22 ended up doing many more projects. If you're responsible,
23 it pays off for the long run. This is not responsible.

24 My thoughts would be is if there is a discussion,
25 you know, if we want to sit and discuss it, great. But you

- Hearing - Marchuska -

1 can't, look, everything comes down to money in this day and
2 age. It's a shame, but the story of life. But at times,
3 there are certain properties that aren't conducive to
4 development. I told myself, some things I owned for years,
5 I can't do anything with them. And this, unfortunately, is
6 one of them. And I feel bad, there is nothing you can do.

7 CHAIRMAN SOUTHERN: Thank you. Dessa, do you
8 wish to say?

9 MS. DESSA BERGEN: Yes, I would like to say one
10 other thing. When you start building a big home, the site
11 is torn up for three years -- two or three years. I mean,
12 we have had this, you know, single houses that have been in
13 our lake front property that have been torn up for two or
14 three years. And this is not on a high plateau, or a place
15 where there is going to be a lot of runoff. But still
16 runoff happens into the Lake. And so, when you multiply
17 that times nine, that really has a very negative impact on
18 the Lake. And I think you need to consider how long the
19 properties are torn up.

20 CHAIRMAN SOUTHERN: Thank you. Nancy, did you
21 try to speak up?

22 MS. NANCY MURRAY: All I wanted to say is I was
23 on the Board for eight years plus two. Nancy Murray,
24 M-u-r-r-a-y. I just wanted to say, we went through all of
25 this. I have been up on that, all through the ridge. And

- Hearing - Murray -

1 Don, you got a special car so we could go up there. We did
2 everything, on the Board. And my concern is, why is this
3 still an issue? We made a decision a long time ago.

4 So, if is there new information to continue with
5 this, that's fine. But it seems not fair to Don or to
6 other people to continue this over and over. As you know,
7 how many times has this issue come up. And Bob mentioned
8 it too. It has come up many times. I think you have to
9 make a decision. That's it. One way or the other.

10 CHAIRMAN SOUTHERN: Thank you. Anyone else who
11 has spoken, wishes to re-up for a couple minutes? Go
12 ahead, Holly.

13 MR. H. GREGG: Holland Gregg. CPCS, I am reading
14 this, by Steve Datz, who actually did the math on the
15 amount of cubic yards of earth that is being proposed to be
16 moved in order to flatten out the roads to bring it into
17 compliance with the roadway. First of all, I want to say
18 that in Bob Eggleston's presentation, he was saying that
19 that red area is, that's a conservation area, right? That
20 he was saying there was no building in there. But there is
21 going to be a road through there. And so, to me, that
22 means building is going to have to go through the
23 conservation area. I don't know how we reconcile that.

24 But, so, in that red zone, sort of that photo,
25 that's where the road is going to go. And it was broached

- Hearing - Gregg -

1 at the last meeting that 18 thousand cubic yards of dirt
2 will be hauled away in order to flatten out that road. And
3 Steve, after probably 20 cups of coffee, some math. And he
4 ended up finding or determining that by the time you move
5 that soil and shale, and the plan is -- by the way -- to
6 move all that soil and shale up to the hillside up to the
7 flat area up there and spread it. But did you know that 18
8 thousand cubic yards of dirt and shale will cover 11 acres
9 one foot deep? Okay. So, think about that when you're
10 doing the math.

11 So you're going to have a foot of shale spread
12 across eleven acres up there to move around. Now we could
13 double-check those numbers. But it's a lot of dirt. It's
14 a lot of shale.

15 Another thing I wanted to be sure that the Board
16 appreciates is that the neighbors and Mr. Spear are
17 definitely on different pages with regard to the treatment
18 of the HOA, and the treatment of the easements that have
19 been proposed. I am hoping before the night is over that
20 Bob Eggleston will clarify what you mean by the easements
21 not being part of the development anymore. That would be
22 nice. But the easement discussion goes all the way back to
23 the very first days of this project getting started. And I
24 just want you guys to be all very aware that the neighbors
25 and the easement holders have not agreed with Mr. Spear on

- Hearing - Gregg -

1 how this is supposed to play out. And I believe that if it
2 plays out in the way that Mr. Spear has proposed, there is
3 going to be serious problems.

4 And I think, the Board, before you go ahead and
5 keep this going forward, if it were me and I was sitting on
6 the Board, I would say: Why don't you guys work it out and
7 come back when you got it worked out before we go any
8 further? That would be the very least thing you could do
9 on this. Because there are very serious problems you may
10 not be aware of. I don't want to get into it now but when
11 we are off the record. And look into it a little bit more,
12 okay? Thank you very much.

13 CHAIRMAN SOUTHERN: Thank you, Holly. Tim
14 Lambrecht. Tim?

15 MR. LAMBRECHT: No one mentioned it. One of the
16 things we talked about was the fire suppression system. In
17 the letter I wrote you on August 6th, very specific
18 question I have is, let's just say hypothetically, it went
19 toward -- the tanks get built, who maintains them? Who
20 pays for that? I would like to hear that answer. Thank
21 you.

22 CHAIRMAN SOUTHERN: Thanks, Tim. Connie Brace?

23 MS. CONNIE BRACE: Connie Brace again. I want to
24 reiterate what Holly brought up that add to the excavation
25 from the homes which are not part of this Applicant's work.

- Hearing - Brace -

1 So that we will have all these additional excavations of
2 houses over time as people buy these properties with all
3 the relocation of the land and potential additional Lake
4 issues. That's all.

5 CHAIRMAN SOUTHERN: Thank you. Gretchen?

6 MS. GRETCHEN MESSER: No. Mine was just to be a
7 real quick comment with regard to Holland's mathematical
8 wizardry. Is that the movement of dirt -- they are moving
9 dirt and shale. That means your top soil and your dirt
10 layer is really shallow. If you're going to go anywhere,
11 you're hitting shale. So, that what are you going to do
12 for a basement? Because this causes problems. Water moves
13 through. It hits the wall, goes out, it runs off, you
14 haven't enough -- you have to take into mind the shallow
15 soils. Shale is not stable. Shale is problematic. It's
16 more expensive. And I am very glad the engineer and
17 architect and planner all have sufficient funds to be able
18 to build something in such poor soil conditions. It's not
19 wise. It's not safe. It's not prudent. And I think that
20 gets back to, it's not suitable.

21 CHAIRMAN SOUTHERN: Thank you. Wait a minute.
22 Teresa?

23 MS. GOLDMANN: Yes.

24 CHAIRMAN SOUTHERN: Goldmann?

25 MS. TERESA GOLDMANN: Yes, I don't remember who

- Hearing - Goldmann -

1 said it, about coming together, that was never addressed.
2 I don't know if you went to any of the three of us, who
3 owned the properties. He came to me once to ask me if he
4 could widen the driveway. We own the driveway with an
5 easement thing. If the driveway is widened, my electric
6 pole will be gone. My well will be gone. I have already
7 lost two trees from the runoff on the water. He has never
8 come to us, except for when he sold us the lot, at a
9 premium because there was going to be four lots, on that
10 property. Four. And that's why we paid a premium.

11 I am so grateful for you all in Skaneateles who
12 have money. My husband and I have put our investments in
13 our home. If this takes place, my home is not worth,
14 you're totally putting the driveway in my front yard. It's
15 just, he has never come and asked, said: This is my plan.
16 Because we were told when we brought the property, there
17 would be four lots. And we paid that, we paid for that
18 property. Because there was going to be four lots. Now we
19 are talking about fourteen.

20 CHAIRMAN SOUTHERN: Okay. Thank you. Just a
21 minute, Bob. Could we just, could we keep our comments as
22 much as you can, towards the SEQR process toward the
23 environmental impact, please? Try to avoid personal
24 complaints, if you can. Bob? Mr. Liegel? Not personal.

25 MR. ROBERT LIEGEL: I would urge you when you're

- Hearing - Liegel -

1 considering the result on this thing to emphasize the
2 environmental impacts of this thing. I mean, we have an
3 extensive board for the Skaneateles Lake Association. They
4 are all working very hard. I know, I am. And I have done
5 it for a lot of years. But please, consider and focus on
6 the environmental impacts of this thing. If you do that, I
7 am absolutely sure that you will reject this thing. It's a
8 disaster. It needs to go away. And I pity you for having
9 spent so much time on a disastrous application where the
10 issues have not been addressed, and they have not been
11 resolved. Thank you.

12 CHAIRMAN SOUTHERN: Thank you. Yes, Mr. White?

13 MR. STEVE WHITE: Steve White. I neglected to
14 say one thing before. And I have got some pretty good
15 friends sitting up there behind the desk. And also a bunch
16 of pretty good friends back here. And all of us appreciate
17 all of what you have to do. And I just want to say, thank
18 you for listening to us, for putting in your time, and
19 paying attention to what we have to say. Because without
20 you guys backing us up, we would be in some serious
21 trouble. We thank you very much.

22 CHAIRMAN SOUTHERN: Thank you for your comments.

23 (Applause.)

24 CHAIRMAN SOUTHERN: If there are no further
25 questions, we will close the comment period. Thank you all

- Hearing - Eggleston - (Closing) -

1 for coming, unless, I am sorry, Bob, did you want to say
2 some --

3 MR. EGGLESTON: Yes.

4 CHAIRMAN SOUTHERN: Bob, closing comments? I am
5 sorry.

6 MR. B. EGGLESTON: Thank you for having this
7 information period. And I am really relieved I am not
8 applying for a special use permit.

9 This is a subdivision. The Skaneateles
10 Comprehensive Plan recognizes that there will be
11 development, and that controlled development is a good
12 thing. This development avoids strip development and
13 sprawl. It encourages major conservation easements that
14 protect the ridge line and adjoins other conservation land.
15 It incorporates cluster development with "density neutral"
16 conservation zoning.

17 Furthermore, the proposed project incorporates
18 several "smart growth principles."

19 With this proposal, this Board has the
20 opportunity to approve development where development
21 already exists, at a density rate 450 percent less than
22 that allowed by zoning, and at a level that is consistent
23 with the surrounding area.

24 Development at this site will lessen the pressure
25 for development of active agricultural land, which chips

- Hearing - Eggleston - (Closing) -

1 off a few acres at a time in an ad hoc manner without any
2 installation of road infrastructure or stormwater runoff
3 management, and leads to high visibility out-of-place homes
4 in the middle of a field, that are the very hallmark of
5 urban sprawl.

6 As was repeatedly highlighted by the previous
7 chairman of the Planning Board, farmer Mark Tucker, this is
8 not good farm land. With this proposal, the Town can
9 choose to have the development tucked in on poor quality
10 inactive farm land, and alleviate development pressure on
11 high-quality, active farm land elsewhere.

12 The proposed lots are not visible from East Lake
13 Road, and can barely be seen from across the Lake at the
14 public boat launch, requiring binoculars to discern
15 anything. From that vantage point, the view of this
16 property, framed by the ridge line to the east of this
17 property, is almost entirely composed of the 75 acres of
18 conservation land that will be protected forever -- over 90
19 percent of the land.

20 Under this conservation easement, none of the
21 lots will be allowed to be subdivided in the future.

22 Opposition to the project cites concerns of
23 nutrient runoff, if the subdivision is approved, pretending
24 that this is "open space" while completely ignoring the
25 reality that the land is zoned for agriculture. The amount

- Hearing - Eggleston - (Closing) -

1 of runoff from 80 acres of active agricultural land would
2 be in the order of magnitude greater than eight (8)
3 additional homes.

4 Consultation with viticulture experts from
5 Cornell University have identified wine grapes as the ideal
6 crop for this land due to its slope and "poor farm land"
7 attributes which stresses grapes giving them improved
8 flavor. Once established, Cornell recommends a baseline
9 application of an average of more than 250 pounds of
10 fertilizer per acre annually. In addition, to pounds of
11 pesticides. On 80 acres, that would be twenty thousand
12 pounds of nutrients annually.

13 During the last 15 years, the applicant has
14 exhausted efforts to find alternative uses for this
15 property. There are three possible future uses for the
16 land: Return to active agricultural, like growing grapes,
17 with associated fertilizer and pesticides;

18 The 17-lot Open Space Subdivision, the
19 feasibility of which was demonstrated to the Board earlier
20 this year;

21 Or the current 9-lot proposal before the Board.

22 Anyone can see that an additional eight homes
23 instead of 80 acres of agricultural is good for the Lake.
24 That having 90 percent of the land protected by
25 conservation easement is a win for wildlife, water quality,

- Hearing - Eggleston - (Closing) -

1 and the character of Skaneateles Lake.

2 A letter dated August 6th, 2000 18, to Chairman
3 Southern from counsel representing the Citizens to Preserve
4 the Character of Skaneateles noted that it had the full
5 support of Justin Marchuska, David and Suzanne Nangle, Eva
6 and Dan Pajak, and Charles and Victoria Woodruff, and
7 stated that the proposed safety improvements to the
8 existing driveway should be made. We agree.

9 Thank you for all participating in the process.
10 Many of the comments made tonight appear to be in response
11 to misinformation that has been disseminated by a few
12 people who oppose development of any kind. The Applicant
13 intends to provide a written response to all the comments
14 offered tonight. Thank you.

15 CHAIRMAN SOUTHERN: Thank you, Bob. At this
16 point, at this point, we are going to close it. I
17 appreciate your comments. We always accept written
18 material. If you would like any explanations of the
19 process that we follow to get through these SEQR reviews or
20 to go through any of the subdivision law as regards to the
21 Town, you can contact me. I will gladly read the code to
22 you. Okay. Because there are answers to all of those
23 concerns. Thank you.

24 (Public Information and Comment period ended at 7:48 p.m.)

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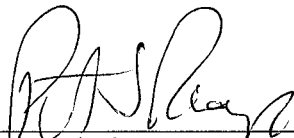
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C E R T I F I C A T E

STATE OF NEW YORK:
COUNTY OF ONONDAGA:

I, PATRICK J. REAGAN, a Certified Shorthand Reporter and Registered Professional Reporter, in and for the State of New York, do hereby certify that the foregoing transcript of the Public Hearing, County of Onondaga, recorded at the time and place first above-mentioned, is true and accurate to the best of my knowledge, skill and ability.

Date: 11/13/18



Patrick J. Reagan, CSR

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Marcellus, NY 13108

(315) 673-9358

SKANEATELES PLANNING BOARD
PUBLIC MEETING/HEARING SPEAKER LIST
THURSDAY, November 8, 2018

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1	4	Robert Eggleston	Project Architect Skaneateles, NY	*
2	13	Molly Elliott	125 Orchard Road Skaneateles, NY	
3	15	Jim Taylor	2951 East Lake Road Skaneateles, NY	
4	16	Connie Brace	15 Kane Avenue Skaneateles, NY	*
5	18	David Nangle	2890 East Lake Road Skaneateles, NY	(jar)
6	20	Robert Liegel	2030 West Lake Road Skaneateles, NY	*
7	22	Joseph Schoener	2516 West Lake Road Skaneateles, NY	
8	23	Ted Kush	1437 West Seneca Tpk. Skaneateles, NY	*
9	24	Tim Lambrecht, Esq.	6312 Fly Road East Syracuse, NY	
10	25	Holland Gregg	CPCS, PO Box 689 Skaneateles, NY	
11	28	Rachael DeWitt	1853 West Lake Road Skaneateles, NY	*
12	30	Teresa Goldmann	2886 East Lake Road Skaneateles, NY	
13	31	Claire Howard	12 Academy Street Skaneateles, NY	
14	32	Eva Pajak	2896 East Lake Road Skaneateles, NY	*
15	34	Steve White	20 State Street Skaneateles, NY	
16	36	Dessa Bergen	1448 Old Seneca Tpk. Skaneateles, NY	
17	37	Gretchen Messer	2935 West Lake Road Skaneateles, NY	
18	38	Connie Brace	(2nd Comments)	
19	39	Justin Marchuska	2887 East Lake Road Skaneateles, NY	
20	41	Dessa Bergen	(2nd Comments)	
21	41	Nancy Murray	(Former Skan. Plan. Brd) Skaneateles, NY	
22	42	Holland Gregg	(2nd Comments)	
23	43	Tim Lambrecht	(2nd Comments)	

(Continued)

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<u>Order #</u>	<u>Page</u>	<u>Name</u>	<u>Address</u>	<u>written submittal</u>
24	45	Gretchen Messer	(2nd Comments)	
25	45	Teresa Goldmann	(2nd Comments)	
26	46	Robert Liegel	(2nd Comments)	
27	47	Steve White	(2nd Comments)	
28	48	Robert Eggleston	(Project Architect) (Closing comments)	*
	*	*	*	

(Contemporaneous Speaker List included)