

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
April 16, 2019**

Joseph Southern
Donald Kasper
Scott Winkelman
Douglas Hamlin
Jill Marshall- absent
Scott Molnar, Legal Counsel
Emma Aversa, P.E. (C&S Engineers)
Howard Brodsky, Town Planner
Karen Barkdull, Clerk

Chairman Southern opened the meeting at 6:30 p.m. The meeting minutes of March 19, 2019 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Winkelman and seconded by Chairman Southern to approve the minutes as corrected. The Board having been polled resulted in the affirmance of said motion. Member Hamlin abstained from the vote, as he was not present at the previous meeting.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Abstain]
Member	Jill Marshall	Absent	

The meeting minutes of March 26, 2019 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Hamlin and seconded by Member Kasper to approve the minutes as submitted. The Board having been polled resulted in the affirmance of said motion.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	

Public Hearing-Partial Open Space Subdivision

Applicant: Glenn Beran
Susan Rosenberg
3678 Fisher Road
Skaneateles, NY 13152
Tax Map #032.-02-04.0

Present: Robert Eggleston, Architect;

The applicants are proposing a partial open space subdivision to create the two acre lot with dwelling and barn, and the remaining lot of 10 acres would be vacant farm land with a conservation easement over 3.23 acres. The property line of the two-acre lot would follow along the row of existing trees on the north side. The plat plan prepared by Paul Olszewski, Licensed surveyor, dated April 3, 2019 has been submitted to the town. The plat plan indicated the high, medium and low conservation areas consistent with the conservation analysis. A draft deed has been drawn to address the lands that will be placed into an easement restriction. Chairman Southern commented that the language should be modified to restrict the use of the conservation land. Counsel Molnar stated that the easement language meets the requirement of the code but does not put any additional conditions that the board may want. Mr. Eggleston said that the language is written based on the existing zoning code. Counsel Molnar commented that the information listed under attachment A should be incorporated into the body of the deed rather than as an attachment. Mr. Brodsky inquired if the board felt it needed to restrict the easement from structures placed on the land. Member Winkelman commented that the language does not restrict agricultural activity and the benefit of the location of the conservation land is that it is adjacent to existing land that is actively farmed. He continued saying he would not like to see agricultural structures on the land. The board expressed their desire for no structures to be allowed on the conservation land.

At this time Counsel Molnar recommended to the Board that the application be an Unlisted Action and reviewed the short form SEQR with the Board. In evaluating, each of the criteria set forth in Part II:

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

WHEREAS, a motion was made by Member Winkelman and seconded by Member Hamlin the Planning declared this application to be an Unlisted Action, and after review of the SEQR short environmental assessment form, determined that the proposed action will not result in any significant adverse environmental impacts. The Board having been polled resulted in the affirmance of said motion.

At this time, Chairman Southern opened the Public Hearing and asked if there was anyone in favor of the proposal. No one spoke in favor of the proposal. Chairman Southern asked if there was anyone who wished to speak in opposition or had any other comments on the project. No one spoke in opposition or had other comments.

WHEREFORE, a motion was made by Member Kasper and seconded by Member Winkelman to close the public hearing. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Chairman Joseph Southern, duly seconded by Member Donald Kasper, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Partial Open Space Subdivision, with the following conditions:

1. The Final Plan subdivision of the Rosenberg Subdivision, dated April 3, 2019 prepared by Paul J. Olszewski, Land Surveying, PC be submitted for the Planning Board Chairman's review and signature within 180 days from the signing of this resolution; and
2. That the Site Plan 1 of 2 through 2 of 2 and Narrative dated February 28, 2019, prepared by Robert O. Eggleston, Licensed Architect; and Pictometry Photo dated February 26, 2019, be followed in all respects; and
3. That the Attorney to the Planning Board review the Applicant's Deed with conservation easement and condition(s) for compliance with state and local law concerning conservation easements, to ensure that no structure is constructed on land in the conservation easement; and
4. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application; and
5. The Subdivision Map and Deed transferring the property subject to conservation easement and conditions must be filed in the Onondaga County Clerk's Office within sixty-two (62) days of the signing of said Map, or the Subdivision approval shall be null and void. Proof of said filing shall be immediately forwarded to the Secretary of the Planning Board upon receipt by the Applicant and/or Applicant's representative.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	

Sketch Plan-Site Plan Review(amend existing special permit)

Applicant: Illyssa Green
1194 Greenfield Lane
Skaneateles, New York 13152
Tax Map #053.-01-05.3

Present: Jeff Davis, Legal Representative; Jamie Davis, Licensed Structural Engineer

The application is for the installation of a Hill Hiker trolley system from the dwelling to the shoreline. The design has been revised so that there will be no disturbance within the steep slope by the shoreline with the track suspended between two posts, one at the top of the bank and the other at the shoreline.

The property had received a variance for impermeable surface coverage in 2001, which allows 14.65% impermeable surface coverage, and the proposed coverage will be 13.7%. A portion of the trolley system

will be located on the neighboring property to the north, and as such, an easement agreement will be put in place between the two properties for as long as the trolley remains in place. There will be no increase in shoreline structures that were approved in 2011, as a small portion of the boathouse will be removed to offset the additional 64 square feet needed for the landing base of the trolley. There will be a seasonal attachment to the dock connecting the trolley landing to the dock. The trolley tracks will be approximately 3 feet above the ground. Member Winkelman inquired on the visibility of the trolley. Mr. Davis commented that it wooded down through and there will two rails coming down to the shoreline. There will be minimal tree removal for the piers. Member Kasper commented that the only part that will be visible is where the rails are descending the slope to the lake. Ms. Davis stated that the cart itself will be motorized and that she will be providing an updated site plan to include the impermeable surface and shoreline structures calculations.

WHEREAS, a motion was made by Member Winkelman and seconded by Chairman Southern the Planning declared this application a Type II action pursuant to 6 NYCRR617.5(c)(11) not subject to further SEQRA review. The Board having been polled resulted in the affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Donald Kasper and seconded by Member Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor site plan, with standard conditions and the following additional conditions:

1. That the Special Permit/Site Plan Approval shall expire if the Applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan C1 dated April 16, 2019, prepared by Jamie Davis, Licensed Architect, be revised to reflect the impermeable surface coverage calculations, shoreline structures calculations, and proposed modifications to the shoreline structures, and then strictly followed along with the constructions plans S100, S200, S300, and S301 dated April 16, 2019, prepared by Jamie Davis, Licensed Architect; and
3. That the Planning Board Chair and Counsel review and approve the easement documentation regarding the trolley encroachment onto the neighboring property to the north; and
4. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
5. Except as modified hereby, the conditions set forth in the Prior Approvals, including those which have been imposed by the Town of Skaneateles Zoning Board of Appeals (“ZBA”) remain in full force and effect, and a copy of this Resolution shall be provided to the ZBA for its permanent file.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Vice Chair	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	

Sketch Plan-Minor Site Plan Review

Applicant: Marc Albino Property:

292 S Hoopes Ave
Auburn, NY 13021

841 West Genesee St
Skaneateles, NY 13152
Tax Map #047.-01-29.1

Present: Marc Albino, Applicant; Jill Fudo, Architect

The application is for the removal of two outdoor sheds located on the north side of the property and replacement with a walk in cooler on the existing concrete pad. Additionally, a pergola over the existing patio area and outdoor fireplace will be added to the south side of the building. The pergola will have a corrugated Lexan roof system for inclement weather. The existing patio has five trees in planters that will be removed and the opened areas will be filled in with concrete. There will be no change in the impermeable surface coverage of the property.

The applicant would like to place the cooler on the premises as soon as possible and the board agreed that he could move forward with it as it is considered equipment. The application is for site plan review as it is modifying an existing special permit. The application will continue to next month as the board is awaiting the SOCPA resolution on this project.

Continued Review-Minor Site Plan Review

Applicant: David & Stacie Schnapp
24 Elkland Road
Melville, NY 11747

Property:
4081 O'Neil Lane
Skaneateles, NY 13152
Tax Map #027.-01-30.1

Present: Andrew Ramsgard, Architect; Adrienne Dunn, Architect

The applicant has a vacant nine-acre lot with access off O'Neil Lane. Proposed are a single-family dwelling, detached garage and driveway. The driveway will run along the shallow portion of the slope, cross the watercourse to the dwelling that is located in the southwest corner that affords the best views of the property. A site visit was conducted on April 6, 2019.

The dry swales and sediment traps are located along the driveway. They are in discussion with OCDOH is relocating the septic system in the south or southwest corner of the proposed dwelling rather than crossing the watercourse to connect with the field at the northeast. They will be doing perc tests to determine if the proposed new locations will be viable.

Member Kasper commented that at the site visit, the board noted that the ground was wet all the way up to the proposed dwelling site. Mr. Brodsky commented that it was surprising to find that the top of the hill was also wet. Ms. Aversa commented that Mr. Camp had attended the site visit and provided comments. He commented that the swale would overtop even with the culvert because the analysis assumed the upstream flow that was restricted by the pipes up top. It restricts the flow so that there is more water coming onto the property than just what is in the existing culverts. Mr. Ramsgard said that they are oversizing the culvert. Member Kasper said that the property would probably have relief cuts because what is going to happen is that you will need 18 inches of fill and top off the top of the driveway. Water will get trapped in that area. Mr. Ramsgard stated that they typically underdrain in situations like that.

Mr. Brodsky said that the other concern at the site visit was the connection at O'Neil Lane, as the proposed driveway seemed to be located in steeper land than what the graphics had suggested. Mr. Ramsgard stated that the midpoint of the opening for the driveway was chosen, because if the driveway

were located too far to the west as the land drops down and in an ice condition, a vehicle would be thrown down the hill.

Member Winkelman commented that it seems like there are disturbed soils in the location of the proposed dwelling. He continued saying that it could be brought back with landscaping. Chairman Southern said that there is a public water line access off O'Neil Lane and there are four private residences off Parker Lane that have water access those dead ends. Mr. Ramsgard said that they were not counted on having public water. They are considering a well as they do not want a dead head on the waterline since they will not be at the dwelling all of the time. Chairman Southern said that, as the property is located in a water district it would be required to take public water.

Mr. Brodsky inquired if the plan may change based on the relocation of the proposed septic system and other changes discussed tonight. Mr. Ramsgard stated that the location for the proposed dwelling would not change. The driveway has been designed for fire truck access and turnaround.

WHEREAS, a motion was made by Member Hamlin and seconded by Chairman Southern the Planning declared this application a Type II action pursuant to 6 NYCRR617.5(c)(11) not subject to further SEQRA review. The Board having been polled resulted in the affirmance of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Scott Winkelman and seconded by Member Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor site plan, with standard conditions and the following additional conditions:

1. That the Special Permit/Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan Z1.1 through Z1.2 dated March 1, 2019, and Narrative dated February 28, 2019 prepared by Andrew Ramsgard, Licensed Architect, be strictly followed; and
3. That a construction sequence be provided to and approved by the Town Engineer and Codes Enforcement Officer as part of the building permit application; and
4. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$500 for engineering review; and
5. That the Planning Board Engineer be notified prior to commencement of construction of the driveway; and
6. That the Applicant shall obtain all necessary permits and approvals from OCDOH and any agency or authority having jurisdiction over the Property or the Application.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Vice Chair	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	

Continued Review-Minor Site Plan Review

Applicant: Kyle Albright
3140 West Lake Road
Skaneateles, NY 13152
Tax Map #050.-01-32.0

Present: Robert Eggleston, Architect;

A site visit was conducted on April 6, 2019. It was determined that the outflow from the bio swale could be directed to the swale on the north side of the property. The proposal is for the expansion of the dwelling over 2500 square feet within 1500 feet of the lake line. Mr. Eggleston stated that he would like to have the board consider the access as a private road as there were two previous applications where it was accepted as a private road. As a private road, the impermeable surface coverage of the road is excluded from the calculations for the lot. Member Winkelman inquire if there is any agreement in place regarding the access. Mr. Eggleston stated that Mr. Congel has two parts of the road, Clymer has one and the applicant has one. He continued saying that he is not aware of any issues with maintenance of the road.

Mr. Brodsky stated that he believes the access is a driveway as it is approximately 10-12 feet wide. The difficulty the board is facing is that there is no reliable documentation on how the access was created at the time of the subdivision. The board does not have guidance on how to determine how the access should be classified. A driveway has limitations on the number of properties that it can be serviced by, setbacks, and impacts impermeable surface coverage. It also does not appear on the tax map. Based on these factors it could be considered a driveway. Mr. Eggleston commented that when he was determining the setbacks, they were based off of the road right of way. He continued saying that not treating driveways similarly as roads when determining lot coverage is punitive, as the applicant has no control over eliminating impermeable surface coverage on an existing lot. Mr. Brodsky commented that the board has to live with the results of past decisions. Mr. Eggleston said that since 1996 the determination on the access has not been consistent although on this lot it has always been treated as a road. One other consideration is that we are managing the stormwater on this lot.

Chairman Southern commented that in the zoning code, a private road must meet certain specifications. Mr. Eggleston commented that the road meets the conservation subdivision road specifications. Mr. Brodsky said that a private road must conform to town road specifications being 66 feet wide. Member Winkelman said that it is in the town's interest and land conservation interest to keep these access ways small.

WHEREFORE, a motion was made by Member Winkelman and seconded by Chairman Southern to continue the application on ***Tuesday, May 21, 2019***. The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan-Minor Site Plan Review

Applicant: Skaneateles Country Club
3344 West Lake Road
Skaneateles, NY 13152
Tax Map #049.-01-24.1

Present: Rachael Dewitt, SLA; JoAnne Humphrey, Nature Conservancy

The SLA and the Nature Conservancy have been approached by the Skaneateles County Club regarding remediation efforts to stabilize portions of Dowling Creek that are on the Club's property. The SLA is providing financial support and the US Fish and Wildlife is providing design support. The mission of The Nature Conservancy is to conserve the lands and waters on which all life depends. As nutrient loading is contributing to algal blooms, the current thinking is to restore creeks and waterways to a more natural channel design. Ms. Humphrey shared slides of other stream restoration projects that they had completed in conjunction with US Fish and Wildlife Service.

With the project proposed for Dowling Creek, they are proposing to use log structures with a typical diameter of 12" DBH and the rock is typically stackable with minimum dimensions of 3'x3'x3'. The footer log and the header log are placed after a trench is dug. Large rock will be used as ballasts to keep the logs in place. The logs are slightly tipped in the stream and alternate to create sinuosity. The logs are tied into solid ground along the structure to resist out-flanking. The goal is not to have more than a foot vertical drop in the stream and they excavate for a small pool after each drop. She continued saying that they are anticipating the DEC permit to be issued this week, and they have already obtained the ACOE permit.

There will be a total of a half-acre disturbance including the access and staging areas. The remediation will be for a 920 feet section of the stream with a 20-foot wide buffer. The buffer will be vegetated with native grasses and shrubs. The SWPPP will be finalized after the project is walked one more time.

The existing conditions of the golf course have a lot of erosion and some areas are bare. The crossings are undersized and will be removed and replaced with bridges, with the requirement of them being sized at 1.25 times the bank width; the bank in this location is approximately nine feet. The log placement is shown on the overhead photo plan. The south side of the existing watercourse has established trees that will remain. Member Winkelman inquired if the stream will be relocated. Ms. Humphrey stated that the berm would be removed and there will be a small modification to the stream so that it can meander more naturally.

The project is anticipated to begin this fall after the golfing season. Member Kasper inquired why the Planning Board is not stepping aside on this project as US Fish and Wildlife is involved. Chairman Southern commented that we have submission requirements on every project going into the lake in terms of improving the banks of the streams. It needs to be verifiable by the town engineer or codes enforcement officer. Mr. Brodsky commented that there are no measureable drawings submitted. Ms. Humphrey said that the photo is to scale. Mr. Brodsky stated that what needs to be submitted is a measured drawing that also is stamped and signed by the engineer. Ms. Aversa stated that Mr. Camp was in support of the proposal however, needed better documentation with a prepared site plan with topography. Counsel Molnar commented that a complete site plan meeting the town regulations is needed for verification of conformance.

Mr. Brodsky inquired if the SLA is intending to do other projects similar in nature around the lake. Ms. Dewitt stated that they were hopefully in the future. Mr. Brodsky explained that the board is reviewing this application for land disturbance in proximity to a watercourse. Chairman Southern inquired what is their plan to prevent turbidity in the lake as work is being done with this project. Ms. Humphrey stated that they are working on the SWPPP to create measures in addition to de-watering and meeting the ACOE specifications for de-watering. They will be using a trash pump with a four-inch hose that will be brought around alongside the stream, doing about 300 feet at a time. The application will continue with the submittal of a prepared site plan that complies with the town code.

Extension Request –Lot Line Adjustment

Applicant: Barbara Evans
52 Leitch Ave
Skaneateles, NY 13152

Property:
4452 Vinegar Hill Road
Skaneateles, NY 13152
Tax Map #023.-03-14.0 &023.-03-15.1

Present: Richard Evans, Representative; Jeff Davis, Attorney

The applicant is requesting a one-month extension on their Site Plan approval from September 18, 2018. There has been a minor recalculation of the lot size for lot 1 for 8.3 acres to 8.4 acres. Lot 2 will remain at the proposed 19 acres.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Scott Winkelman and seconded by Member Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Extension Application, with the following conditions:

1. That all conditions of the September 18, 2018 resolution remain in full effect except as amended hereby;
2. That the Subdivision Map submitted by the Applicant with the Extension Application is approved, as it contains correct perimeter dimensions, and is to be utilized by the Applicant to effect the subdivision; and
3. That the time required for the Applicant to file the Map and Deeds with the Onondaga County Clerk in connection with the approved Minor Subdivision is extended for an additional thirty (30) days from April 16, 2019.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	

Draft Scoping

Applicant: Emerald Estates Properties, LP
Skaneateles, New York

Property:
2894 East Lake Rd
Skaneateles, New York
Tax Map #036.-01-37.1

Present: Robert Eggleston, Architect;

The board reviewed the submitted draft document and suggested the following corrections:

- Page 3 question 1f. There should be a 1 before board concern magnitude
- Page 5 question 9c and 9d, board concern include “ and project” to impact of new road on view
- Page 2 issue 3 should also include impact of project to view
- Page 8 concern 1, issues to be address number 5 should include “similar in scope” after other projects

Page 8 concern 2, issues to be address number 3, adding “including how slopes will maintain vegetation”
 Page 8 concern 2, issues to be addressed number 4 should include “similar in scope” after other projects
 Page 9 concern 3 summary 1, road should be changed to driveway
 Page 9 concern 3 issues, add number 2 visual presentation of future project to demonstrate project impact
 Page 9 concern 4, summary, remove first portion of sentence up to Chief.
 Page 9 concern 4 issues 1, strike question and stated narrative of filling activity of Lot 11, including area of coverage and depth, including impact
 Page 9 concern 4 proposed solution, add number 4, discuss alternative and mitigation measures
 Page 10 concern 5 summary, Modify sentence to read the applicant will describe how the project meets code and how it will be assessed on its own merits.
 Page 10 proposed solution, strike last sentence.
 Page 10 E alternatives, modify number 2 for first sentence to end at driveway, and strike the rest.

The draft scoping document will be updated by Counsel Molnar as amended above and a public notice for the website inviting comment. He recommended that public comment could be done via the website and a request for any written comment to be submitted to the town within 30 days. There will be an opportunity for a public hearing regarding the DEIS and plat plan approval. The lead agency must provide a final written scope (with any revisions based on submitted comments) to the project sponsor and all interested agencies and any individual who has expressed an interest in writing to the lead agency within 60 days of the acceptance of the draft scoping document.

WHEREFORE, a motion was made by Member Hamlin and seconded by Member Kasper to accept the draft as herein amended. The Board having been polled resulted in the affirmance of said motion.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Absent	

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Hamlin to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 9:13 p.m. as there being no further business.

Respectfully Submitted,
 Karen Barkdull, Clerk