

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
May 21, 2019**

Joseph Southern
Donald Kasper
Scott Winkelman-absent
Douglas Hamlin
Jill Marshall
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 April 9, 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 corrected. The Board having been polled resulted in the affirmance of said motion. Chairman Southern abstained from the vote, as he was not present at the previous meeting.

RECORD OF VOTE

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

The meeting minutes of April 16, 2019 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Kasper and seconded by Member Hamlin 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	Absent	
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Attorney Advice Session

WHEREFORE a motion was made by Chairman Southern and seconded by Member Hamlin to enter an attorney advice session. The Board having been polled resulted in favor of said motion.

WHEREFORE a motion was made by Chairman Southern and seconded by Member Hamlin to return from attorney advice session. The Board having been polled resulted in favor of said motion.

The Board returned at 6:49 pm.

Continued Review-Minor Site Plan Review

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

Present: Kyle Albright, Applicant; Robert Eggleston, Architect; Thomas Blair, Attorney;

Chairman Southern commented that in reviewing the documents pertaining to the subdivision and this lot, the access should be classified as a shared driveway. Counsel Molnar stated that the Westview Estates subdivision was approved in 1978, which included that the access way for the four residential lots is a driveway placed in a thirty-foot access easement. The subdivision map that was filed of record states the same. The Planning Board from 1978 moving forward has handled the access way as a driveway. The applications for all of the four lots from 1978 forward reflected that same designation on the surveys submitted. This was true for the two Congel properties and for Boudreau, the prior owner of the applicant's lot. In 1995, Boudreau received a variance for placement of the dwelling thirty feet off the private drive, and the survey and site plan submitted reflected that the access way was a driveway. The precedence is that this access way has always been treated as a driveway including the 2007 application for Clymer, where the site plan and survey reflected the access way as a driveway and the application was subject to redevelopment.

Counsel Molnar continued saying that in 2016, when the applicant submitted a building permit for replacement of the garage and the addition of a second floor, which Member Kasper was involved with as contractor, the survey provided by Mr. Lehr with a thirty foot access and egress access easement, not characterizing it as a driveway or private road. The site plan reflected the access way as a private road, the first time there was a departure from prior handling. That application proceeded through the building department only and did not have handling by the Planning Board or the ZBA. As such, there was no Planning Board input on whether or not it was acceptable at the time.

Another factor for consideration for the Planning Board is that this access way, as reflected on all four of the lots, is not a separate tax parcel that you would find on other parcel roadways in the town; the access way is part of each of the lots. The precedence is that it is considered a driveway and therefore it was recommended that the site plan be revised to reflect that the access way is a shared driveway including revision of the lot coverage to include the driveway in the calculations.

Mr. Eggleston stated that in 2004, Boudreau took out a building permit to build a garage and that it was authorized to be a private road at that time. Counsel Molnar commented that the site plan reflects the access as a driveway. Mr. Eggleston stated that the lot coverage and lot area calculations do not include the driveway, as it does not include the fire lane. The survey indicated driveway for the access way. The Planning Board did not review or endorse the application and the Codes Officer issued a building permit. There was no determination or decision that was made regarding whether the access way was a road or driveway. Mr. Eggleston added that prior to 1996; there was no distinction between driveways and private roads. He continued saying that there are other subdivisions with private roads over other lots. He said that the landowner has no ability to alter the coverage on his lot to offset that addition of impermeable surface coverage of the access way, which represents 6% of the lot coverage.

Chairman Southern stated that in light of the discussion, the site plan would need to be altered to reflect the correct classification of this access way as a driveway and the lot coverage calculations will need to be corrected. Mr. Blair requested that a prepared document reflecting the determination be made available for the applicant. Counsel Molnar recommended that the Planning Board adopt the findings as discussed and request that the applicant revise the site plan depicting the access way as a shared driveway and revising the coverage calculations, which would provide a valid and rational explanation.

WHEREAS, application was made by **Kyle D. Albright.**, (“Applicant”) for property located at **3140 West Lake Road** in the Town of Skaneateles, located in the Rural and Farming and Lake Watershed Overlay District (“Premises”, “Property” or “Project”), as set forth on a **Sketch Plan, dated February 20, 2019** prepared by **Robert O. Eggleston, Architect**, (“Sketch Plan”) together with application materials submitted by the Applicant (the “Application”); and

WHEREAS, the Planning Board made a current site visit to the Property, has reviewed and considered the materials contained in the Application, the Planning Board files regarding all properties in the Westview Estates Subdivision, has heard and considered submissions made on behalf of the Applicant, and obtained engineering consultation; and

WHEREAS, the Application has been reviewed by the Planning Board between March 19, 2019 and May 21, 2019, and

WHEREAS, a motion was made by Member Hamlin and seconded by Member Marshall 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.

WHEREAS, while undertaking its review of the Application, the Planning Board reflected on Property materials pertinent to review and classification of the access way leading to the Property as either a driveway (“Driveway”) or a private road (“Private Road”), for purposes of computing impermeable surface coverage (“ISC”) calculations under Chapter 148 of the Town of Skaneateles Zoning Code (“Code”), including, but not limited to the following:

- The Planning Board Resolutions dated November 22, 1977, and December 20, 1977, and final plat approval dated September 18, 1978, approved the Westview Estates Subdivision, with Lots A, B, C, and D (and Lake lot) being served by a “Common Driveway” crossing each of the 4 residential lots created, within a 30 foot access easement;
- That Subdivision Map #5712 filed with the Onondaga County Clerk’s Office created the Westview Estates Subdivision with the access way described as a “30’ Driveway Right of Way;”
- From creation of the Subdivision through 2009, all applications for Planning Board or Zoning Board of Appeals (“ZBA”) approval referred to the access way as a “Driveway” on all surveys and site plans submitted for the four lots, including the Congel owned properties A and C, and when Boudreau owned the Property in 1995;
- In particular, in 1995 Boudreau received a variance from the ZBA for placement of the dwelling on the Property 30’ feet off the Driveway;
- Precedent for referring to the access way as a Driveway continued with the Clymer applications in 2007 and 2009 for Lot D, where the site plans and surveys submitted referred to the access way as a Driveway, with the 2009 application subject to redevelopment;
- In 2016, when the Applicant made application for a building permit for replacement of the garage and the addition of a second floor, which Member Kasper was involved with as contractor, the survey provided by Mr. Lehr referred to the access way as a thirty foot access and egress

easement, not characterizing it as either a Driveway or a Private Road. However, the site plan submitted at this time reflected the access way as a Private Road, being the first time there was a departure from prior handling. This 2016 application proceeded to a building permit through the building department only, and was not reviewed by either the Planning Board or the ZBA, as such there was no Planning Board input at the time;

- Another factor for consideration by the Planning Board is that this Driveway, as reflected on all four of the Lots, is not a separate tax parcel, as found with other Private Roads in the Town;
- The Applicant corrected the record by adding that in 2004 Boudreau applied for a building permit to build a garage on the Property, with lot coverage and lot area calculations not including the Driveway, however the Applicant agreed the survey and site plan for this application referred to the access way as a Driveway, and this application proceeded to a building permit from the Codes Officer without Planning Board review.

NOW, THEREFORE, upon a motion made by Member Douglas Hamlin, seconded by Member Jill Marshall, and upon the affirmative vote of all Members present, with the exception of Member Donald Kasper who recused himself, the Skaneateles Planning Board determines as follows:

1. The Planning Board accepts the above referenced factors and precedent as Findings; and
2. That based upon the Findings, the access way serving the Property is considered a shared Driveway; and
3. The Board requests that the Applicant revise the Site Plan to reflect this determination, and provide an updated Site Plan with ISC calculations to include the portion of the shared Driveway on the Property.

RECORD OF VOTE

			Yes	No	Recused
Chair	Joseph Southern	Present	[X]	[]	
Vice Chair	Donald Kasper	Present	[]	[]	[X]
Member	Scott Winkelman	Absent	[]	[]	
Member	Douglas Hamlin	Present	[X]	[]	
Member	Jill Marshall	Present	[X]		

Continued Review-Minor Site Plan Review

Applicant: Marc Albino	Property:
292 S Hoopes Ave	841 West Genesee St
Auburn, NY 13021	Skaneateles, NY 13152
	Tax Map #047.-01-29.1

Present: Marc Albino, Applicant;

The application is for a pergola over the existing patio area and outdoor fireplace that will be added to the south side of the building. The pergola will have a corrugated Lexan roof system for inclement weather.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Hamlin, the Planning declared this application a Type II action pursuant to 6 NYCRR617.5(c)(9) not subject to further SEQRA review. The Board having been polled resulted in the affirmance of said motion.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Hamlin, the Planning Board declared this application a Type II action pursuant to 6 NYCRR617.5(c)(9) not subject to further SEQRA review; and

NOW, THEREFORE, BE IT RESOLVED, upon a motion made 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 the following standard and additional conditions:

1. That the 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 C0-C1,D1, A1 through A5 dated March 29, 2019, and Site Plan S101 dated March 28, 2019, prepared by Jill E. Fudo, Licensed Architect, be strictly followed; and
3. Except as modified hereby, the conditions set forth in the Prior Approvals remain in full force and effect: and
4. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application.

RECORD OF VOTE

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

Continued Review-Minor Site Plan Review

Applicant: Dr. Brooks Gump
292 S Hoopes Ave
Auburn, NY 13021

Property:
2621 Rickard Rd
Skaneateles, NY 13152
Tax Map #036.-01-40.0

Present: Taylor Kimbrell, Apex Solar

Proposed is a 25kW ground mount solar array for residential use that will consist of 84 panels that will range in height from 3.5 feet at the lowest point to a maximum of 10 feet in height. The panels will be located over 600 feet from Rickard road.

Mr. Brodsky expressed his concern with the submission, stating that there needs to be more detail provided on the drawings including aisle width for maintenance, the size of the mounting posts, the ground clearance, etc. A detailed profile of the panels would be helpful for the board to understand the proposal. The board is concerned with the land impact; stormwater runoff, maintenance, glare, etc. Mr. Camp suggested that the site plan be placed over the survey. Member Kasper requested that the cross-section be provided to demonstrate how the panels will be mounted to the ground. Member Kasper inquired on the total size of the array and if the panels are continuous or will have gaps for drainage. Mr. Kimbrell stated that the array will be 20 feet by 70 feet, and the panels will be continuous with a very

small gap in between. Mr. Camp commented that the NYSDEC has guidelines relative to minimum spacing between rows to minimize stormwater impact. Mr. Brodsky commented that the applicant should address any possible impacts from glare of the panels. Mr. Kimbrell stated that they will not be using the blue glass but will be using a black panel, which has less glare. Mr. Brodsky suggested that the applicant review the section of code related to solar installations, 148-35L. The panels face south and are stationary. A site visit will be conducted on June 1, 2019 around 9:30 am.

Sketch Plan-Special Permit

Applicant: Skaneateles Aerodrome, LLC
2984 Benson Road
Skaneateles, NY
Tax Map #051.-02-08.1

Present: Michael J. Lazar, Project Manager

The proposal is for an extension of the runway that runs east west off Benson road, runway 28. The extension would be 300 feet to the east, and a small part of the project is over to the left on the north of the hanger; the taxiway that runs between the fuel pump and the hangar that will be widened 15 feet. This area is used accessing fuel and, with the tie down space nearby, this area becomes difficult to maneuver around the parked planes.

Runway 28 is approximately 3000 feet, and what is proposed is a 300 foot displaced threshold on the east end of the runway. 90% of the landings at the airport land going into the wind. According to FAA regulations, a plane cannot land in the displaced threshold area. The displaced threshold can be used for take offs for the small planes that operate at the airport. Hot days, high humidity, fuel on the plane and the number of passengers affecting load-impacting take off. If a plane is not performing correctly at takeoff, the displaced threshold allows the accelerated stop distance space for the plane to stop safely. A pilot that uses the airport has to meet his party at Hancock airport on hot days to adjust for a proper take off with correct distance due to the lack of this displaced threshold.

As part of the ongoing safety measures, runway 10 had the displaced threshold added. The stormwater management system for the displaced threshold portion of the runway has been tied into the existing stormwater management system. There are underdrains along the runway that lead to a ditch where the stormwater is collected, then discharged to the existing pond. In general during the year the stormwater rarely gets down to the existing pond due to evaporation and it infiltrates into the ground through the open swale.

Member Kasper inquired on the amount of site work that will be conducted. Mr. Lazar stated that there will be little change to the grade after the installation of the runway. Member Kasper inquired how high the planes would be approaching from the east before they reach the runway. Mr. Lazar stated that they would be at least 100 feet above the trees. Generally, the planes come in a 3% angle with no obstructions, and at this location it is about 5% angle if you try to hit the numbers to land a plane; most of the smaller planes land further down the runway and will not land on the proposed displaced threshold portion of the runway. This is a taxiway to the hangers on the west side so about two thirds are on the south side of the runway. Member Kasper inquired if there were any jets that land at the airport. Mr. Lazar commented that all of the planes are prop planes and there is a small turbo prop single engine plane through Pilatus. Their planes cannot carry enough fuel and passengers in the warm months to take off, so in many cases, an individual would need to meet their party at Hancock airport before continuing their trip. There is a variance request for a side yard setback pending for the proposed displaced threshold.

Mr. Brodsky commented that the larger places would be in the circle on the plan and inquired on the noise levels. Mr. Lazar stated that the noise level would be slightly louder at takeoff. Member Marshall inquired whether the closest homeowner had any comments. Mr. Lazar stated that he had met with her about a month ago and she was happy with the project. He had suggested to the property-owner that it is unlikely that the displace threshold would be visible with the fence they had installed and the grade of the land, but that if she wanted, they could extend the trees in the area or a solid fence could be added if she has concerns with sound. She had told Mr. Lazar that the airport does not bother her and that she likes the planes.

Chairman Southern inquired if there will be an increase in use with the proposal. Mr. Lazar stated that it would allow the charter places to land more safely which increase the use of the airport, although there are only about sixty larger planes a year that use the airport. The usage is very seasonal with the peak times between May and October. There is little plane activity between 10 pm and 7 am., with most of the night traffic occurring with local businesses based in Skaneateles. There is no helicopter usage of the airport now although there was a small amount in the past.

Mr. Brodsky commented that there is a stream on the southwest portion of the property and inquired on the impact of the runoff from the runway extension to the stream. Mr. Lazar commented that it is unlikely that the stormwater would reach the pond unless it was a tremendous downpour. Mr. Camp said there is approximately 20,000 square feet of pavement; the quality of runoff from airstrips is better than off roads as there is less activity. He continued saying that the plan shows a swale along the edge of the runway so that water is not on the runway and recommended that the swale continue down further to provide more grass swale to get to the culvert for water quality treatment and infiltration. A site visit will be conducted on June 1, 2019.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Hamlin to schedule a public hearing on ***Tuesday, June 18, 2019 at 6:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Amendment Request – Special Permit/Site Plan Review

Applicant:

Jennifer Carden
26 Zephyr Court
San Rafael, CA 94903

Property:
1800 Tamarack Trail
Skaneateles, NY 13152
Tax Map #062.-01-16.1

Present: Bob Eggleston, Architect;

The applicant had received prior special permit/site plan approval for the shoreline redevelopment on September 18, 2018. The original proposal was for the regrading of the shoreline to add permeable steps, retaining walls, and a ramp. The applicant would like to amend their approval to reflect a two-tier patio in place of the proposed steps, retaining walls, and ramp. There will be an increase in shoreline disturbance from 2700 square feet to 3500 square feet, and a small increase in shoreline structures to 576 square feet, under the 600 square feet maximum allowed for the lot. 98 square yards of material will be removed from the site. Any of the steep slopes areas will be replanted to sumac and the lawn stabilized with sod.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Marshall, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes a TYPE II single-family residential project action, not subject to further SEQRA review.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Douglas Hamlin, seconded by Member Jill Marshall, and upon an affirmative vote thereon as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application, and amends the Approving Resolution, as follows:

1. That the Site Plan 1 of 3 through 3 of 3, with the revised date of May 10, 2019, revised narrative dated May 10, 2019, all as prepared by Robert O. Eggleston, licensed architect; be followed in all respects; and
2. Except as amended hereby, the conditions of the Approving Resolution remain in full force and effect.

RECORD OF VOTE

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

Scoping

Applicant:	Emerald Estates Properties, LP Skaneateles, New York	Property: 2894 East Lake Rd Skaneateles, New York Tax Map #036.-01-37.1
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Present: Robert Eggleston, Architect;

Counsel Molnar recapped stating that on April 18, 2019, after the April 16, 2019 Planning Board meeting, the draft scoping memo was completed reflecting the findings from the prior SEQR positive declaration determination and also included the applicant’s suggested handling of the positive declaration involving the recitation of the potential environmental impacts were, possible mitigation measures and alternatives considering the re-subdivision of lot 3 of the Hidden Estates subdivision project to avoid or reduce the impacts. The board approved the draft having the document placed on the town website and invited comment for individuals or interested agencies to amend the scoping memo. There were a few items of correspondence received by the Planning Board today, which reflected general concerns for the project but did not specifically suggest amendments or modifications to the draft-scoping memo. There are no suggested modifications of the scoping memo by any interested parties.

The next step is for the lead agency to provide a final scoping document to the involved agencies and any individuals within 60 days of its receipt of the draft scope. In this case the draft scope was received approximately April 18, 2019 and it was recommended that Counsel Molnar to file the draft with the NYSDEC, serve the draft upon any potential agencies, and make it available on the town’s website as the final scoping memo for the Hidden Estates project SEQR consideration. The next step is for the board produce the final scoping document with any submitted comments from the interested agencies considered by the board and included in the document. The applicant can then proceed with the preparation of the draft environmental impact statement.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Hamlin to request that Counsel file the draft scoping document with the NYSDEC and forward to any interested agencies for comment in addition to preparing the documents for inclusion the town website. The Board having been polled resulted in the affirmance of said motion.

RECORD OF VOTE

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

WHEREFORE, a motion was made by Member Kasper and seconded by Member Marshall to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 7:53 p.m. as there being no further business.

Respectfully Submitted,
Karen Barkdull, Clerk