

**TOWN OF SKANEATELES PLANNING BOARD
SPECIAL AND REGULAR
MEETING MINUTES
October 17, 2017**

Joseph Southern
Donald Kasper
Scott Winkelman
Douglas Hamlin
Anne Redmond
Scott Molnar, Legal Counsel
John Camp, 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 September 19, 2017 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. Member Redmond abstained from the vote.

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	Anne Redmond	Present	[Abstain]

Attorney Advice Session

WHEREFORE a motion was made by Chairman Southern and seconded by Member Kasper 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 6:42 pm.

Public Hearing –Special Permit/Site Plan Review

Applicant: Richard Moscarito
120 Madison Street
Chittenango, NY 13037

Property:
2699 East Lake Road
Skaneateles, NY 13152
Tax Map #037.-01-04.0

Present: Robert Eggleston, Architect

WHEREFORE, a motion was made by Chairman Southern and seconded by Member

Kasper to consider the proposed action as a Type II SEQR action and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

Mr. Eggleston began by informing the board that the variances for lot area, increase in height and floor space of the dwelling were approved by the Zoning Board of Appeals on October 12, 2017. The September 14, 2017 site plan has the inclusion of a parking area that consists of a grass strip driveway located 8.4' to the north property line and a retaining wall and timber guard. The impermeable surface coverage will be maintained at 10.7% including the parking area. Mike Ryan, from NYSDOT who was recently promoted, accepting the conceptual plan for the driveway with a 40-foot wide curb cut to provide safe egress. The curb will have drop inlets to capture and drain the water coming from across the road, which will be directed to the grass swale along the north property line to replace the existing hand dug swale.

The existing boathouse with deck will be removed with the existing foundation left in place, with the area filled and lined with rocks for bank protection. The bank will be armored with rock to protect from further erosion, and filter the water from the grass swale before it enters the lake. Above the seawall will be a planted area to help filter stormwater at the edge of the bank.

A special permit is required for the shoreline structure, conversion of a seasonal house to a year round dwelling, and for redevelopment of the lot maintaining the impermeable surface coverage of 10.7%, and site plan review. A payment of \$696.51 contribution to the DRA fund would be submitted to offset the overage in impermeable surface coverage.

Chairman Southern: Is the fence along the northern edge of the property being replaced?

Mr. Eggleston: The fence is owned by the neighbor to the north, Jim Buff, who owns the shared lakefront recreation property.

Chairman Southern: According to Jim Buff, it is not his.

Mr. Eggleston: It is on his property and the applicant was looking for some agreement on the fence, as he would like to have an improved fence. We do have issues with fences within 100 feet of the lake that can only be 50% open at a 45°-90° angle. It would be in everyone's best interest if we repaired that fence, where we could keep it a solid fence, but that would have to be worked out with Jim Buff as the fence is on his property.

Member Hamlin: The septic approval, is it done?

Mr. Eggleston: The septic approval was granted before we shifted it for the driveway. Jeff Till, unsolicited, called me and said that they would work with us and they do not want a holding tank on this property. Everything is in place for an approval and Jeff has reassured me as late as October 12th that he is prepared to approve the septic system.

Chairman Southern: We will open the public hearing at this time and take comments for and in opposition to the project. I would ask that you keep your comments as succinct as you can, as there are many people here tonight who may want to speak. Anyone in favor of the project, if you would stand and state your name and address for the record.

Molly Elliot, 125 Orchard Road, I am the real estate agent that is representing Rick Moscarito on this project. I have been through the emails back and forth with Bob. I am also privy to some information

from a year ago from the seller, who went to Mr. Babbles and told him he would be selling it and to let him know a year before the sign hit the ground. I can respectfully understand that people do not want it to be developed, but the client fully went in under contract, went to the professional, went to the board, and has done everything the board has asked him to do. He has listened to what everyone has had to say, he has developed other properties in Skaneateles and there have never been any issues. I cannot figure out what the problem is. From the standpoint of the seller, we are not making it fair to the seller. We are making it a nonconforming property so what is the seller supposed to do. There were three offers on the property. I am for it, he does beautiful work, he follows to what the Town and the Village ask him to do. He is improving the property with a high-end Elgin system that will help the property rather than the holding tank that has been there for probably 50 years running into the water. I know him personally and have sold him many properties. I am definitely for it.

Chairman Southern: Anyone else speaking in favor of the project. Then those in opposition.

Lisa Ford, 2698 East Lake Road, I have comments I would like to read as quickly as possible as I know there are other people here and there is a packet that I will hand to you guys of information that I believe you already have. I did want to respond first to Mr. Eggleston's comment about the health department. We also have a letter that we can share with you stating that they are still concerned about the driveway because the driveway is going to create more impermeable surface and we are concerned about that. The right of way you are allowed to use and put the swale in, that makes even more impermeable surface and will run more water down onto the property. I want to make it clear that they do not have that permission from the health department. It has not been finally approved as the state right of way has not been approved for a swale or anything else right now. Thank you for listening to my comments. We do not agree with the variances granted were correct. We are concerned that the project will degrade the lake and increases the impermeable surface coverage. We have a letter that you guys can look at that explains why we are saying that. Increasing ISC causes more runoff, both that that the drainage swale will create more runoff to the lake feeding the algae blooms. It is time to draw a line in the sand and to reject projects that send more runoff into the lake and we believe this project is going to do that. Skaneateles residents were advised that pulling water from the lake during algae blooms for household use is unsafe and we do not know where they are going to get their water. We also understand that this property is not going to be used as a short-term rental. His representative argued with the ZBA that it would be un-American to stop residents from renting out their home but that is not at all, what we are saying. Of course, mom and pop should be able to rent out a room to make ends meet. Of course, grandma and grandpa should be able to rent out their home while they spend the winter in Florida. Of course, it is important for our town to have a healthy rental market so that young people can come in here and rent a house. What we are opposed to specifically are short-term rental businesses, lodging facilities like the one the applicant is planning for our neighborhood. These lodging facilities are damaging to the neighborhood lives and properties values and community. Short-term rentals do not have to follow the same health safety and insurance rules followed by hotels and bed and breakfasts. We are worried about whether the town has had enough time to consider issues of public health safety and liability. My husband is going to read the second part of this.

Gary Ford, 2698 East Lake Road, before I finish I would just like to correct something that Molly said who was in favor of it. That are opposed, are not opposed to development. The lodging facility that the applicant is planning will rent different groups people two to seven nights with cleaners coming in after each group. When we expressed concerns to the health department about this increased usage effect on the Elgin systems. You have to do more than what is required by the Elgin system if it is going to be used a lot, you have to take that into consideration. They suggested we discuss this zoning issue with the town of Skaneateles that the renting of the property is not under the regulatory authority of the health department. So we are asking the town to consider how this increased usage will affect the current

drainage problems and the proposed septic system on this tiny nonconforming lot. Fortunately, current town zoning code already forbids lodging facilities in the RF area. The town planning board can follow this code and say no to protect our neighborhood and the town. We are asking the town to please enforce the zoning code and help us project our neighborhood and Skaneateles Lake. We have asked Karen Barkdull to share with you our previous correspondence about concerns including the expansion of the cottage. The septic system closer to the lake with the required 100 foot minimum, danger from increased traffic in the 45mph passing zone on State Route 41 and more. Also, we are concerned about the lack of formal approvals from the health department and the NYSDOT as my wife just has explained. Those have not been approved. In fact Tony has, in fact we have a letter we can share with you as well that said that no work should be done on that property until they receive an application. They have not received any application. The property at 2699 East Lake Road has been in disrepair for many years. Everyone in our neighborhood wants it cleaned up but the current proposed plan is not the solution. We believe that project as proposed will degrade the lake, threaten public health and adversely affect our neighborhood and the town. We are urging the town planning board to reject the requested special permit and the site plans for this project. I would like to thank you for listening and I also have, with the permission of the board I would like to approach the bench and give you copies. These are the comments we read to you as well as additional information.

Chairman Southern: Yes. Are there others who would wish to speak in opposition with the project, if so please stand and be recognized.

Jean Babbles, 2704 East Lake Road: I just want to speak about the water in general. We have been concerned about this project and the effect it is going to have on the neighborhood, the lake and our drinking water. But the toxic algae blooms turned our concerns to a harsh reality. We did not appreciate the value of safe water before and we certainly appreciate it now. We have not had drinking water in a month. We cannot even wash our dishes and have been using paper plates. We cannot use water for cooking and have been buying water and ice. Our infant granddaughter was visiting when the algae bloom first appeared and we could not even wash her baby bottles. Many have forgotten about the algae bloom already, many cannot believe that we do not have drinking water. People in the city and village are turning on their taps as they have always done without a thought, and that is how it should be for them. But the algae is still here and the people who draw water from the lake are still feel the repercussions and still think about drinking water countless nights and days. Of course talking to the health department about this project and the septic system it was said to us that we should probably not be drinking surface water and should use a well. It is a very sad day when someone who lives across the street from Skaneateles Lake is advised to not drink the water. It also brings up the problem of where the project in question is going to get their water when the next algae bloom comes. There is no room for a well on the current site plan. Decisions made in this building are very important. You may think that little things do not matter, a septic system that is too close to the lake, a house that is a little too big for the lot, but they do. They all add up, it is cumulative. The wrong decisions contribute to the problem of runoff making the water undrinkable. Bit by bit, cut by cut, our lake is being damaged. Our town is being changed. This project is a microcosm of all that is happening in Skaneateles. This project should be an easy no. One person's profit should not trump the safe drinking water of many others. The variances being asked for are not right for our neighborhood, the lake or for Skaneateles. I appreciate your listening.

Chairman Southern: thank you.

Peter Babbles, 2704 East Lake Road: I am a lifelong resident of Skaneateles and have seen what has been happening to this once pristine lake. It is very upsetting. Although I have many concerns, I will only touch on a few. One, the ingress/egress of the subject property and the safety concerns. This has always been a seasonal cottage, not a year round home. No one living there has ever had to deal with parking,

getting in and out in winter weather conditions. Inadequate right of way parking is always dangerous but winter makes it treacherous. It is a different animal when a new owner/tenants try to pull out in front of an oncoming truck and cars in white out conditions, which we have right there. Someone may get killed, and I really want this on record, that is one of my biggest fears with this whole thing. There is a reason two-car parking is required. Second car parking on the shoulder makes it difficult for plows. Where will the snow be piled? This will cause even more drifts, cause more dangerous conditions. Please think about it. Two, the septic, lake water and possible well. Let's say the power go off, which happens quite a bit in our neighborhood. Okay, even a properly designed septic will not work when pumping uphill. Okay, so what happens then, will there be a generator, where will that go, I haven't seen that anywhere. More impermeable surface needed. Drainage diverted around the new septic and driveway. There is very little to absorb the water and thus the required 20,000SF needed, not 9,000. The water all becomes runoff that goes into the lake, and believe it or not, it is right over where we pump our personal water, which does affect me. This is not good for the lake. The new owner/tenants will also be pulling their water out of the lake too. If they need a well, there is no room for it on this site. Okay, three, in all the years at this address, and this came out last time; I don't think there was anyone who rented their home in the neighborhood. I have a petition signed by over 40 neighbors from 26 households. I kind of colored it here, okay, the petition was titled; petition to preserve the character of our neighborhood and the water quality of Skaneateles Lake. By the way, this is all signed prior to the dangerous blue green algae blooms. Again, thank you for your time, please consider and do the right thing.

Kathryn Murphy, 2700 East Lake Road: my father, James Buff and I own the property to the north of 2699 East Lake Road. The fence that was in question is Steve's, the current owner. It is on the property line with some of it on us, but it is theirs. I believe it was put up to cover the nasty barbed wire fence that runs up the property all the way up through the trees. It is a mess, it is all rusted and everything else. My concern is the proposed building is only 8 feet from the property line. It is a single story right now and they want to go up two stories, which will overshadow and be large for that property right next to us. Again, with the concerns. I have lived in the neighborhood my whole life, my grandparents lived there, and my father was in the neighborhood. It is kind of disturbing to see what is happening to the lake because of, you know, not just the building but also the runoff, agriculture and everything else. I think that now in hindsight maybe we should have been aware of this before. The runoff is a concern, even the gully-washer we had the other night, the heavy rains that we had. Everything basically from Rose Hill to the lake, it runs and it is in sheets, it rolls. The drainage ditch fills up, the lake road; it is poor drainage to begin with. It comes across the road in sheets, runs down our access road, runs down Steve's road; it has filled up the house there before as it goes down the stairs. He built that swale and hand dug the ditch to try and divert it from the house. Another thing is the waterfront development permanent dock thing. We are on kind of a little cove between the sailing club and south, and there really isn't any permanent structures out on the water, we all have removable docks. That is right next to our property lines and the Babbles have stated that the runoff runs next to that to the north of these stairs and dock. It does filtrate and empty out where their water line run into the lake right next to that. Intakes for them and I am sure Rapasadi, well swimming and stuff. I see his line out there also, that would be a concern. Then the traffic we all know. I am in the fire department, a 30-year member; I have been to numerous accidents between Coon Hill and the swale, the Gully ravine the south of us. Nobody goes 45mph thorough there. Truck traffic has increased 10fold from what it used to be. I can leave work at 2:30 in the morning and I still have to wait for two tractor-trailers running in tandem down the lake road to get to Seneca Meadows or wherever they are going. They are not doing 45mph and there are times you pull out of our driveway and even the sight line to the south is bad. They come down through the dip they come up and before you know it, they are on top of you. At 45mph, they are up to you, when they are doing 55 and 60 they are on top of you. Or you can blink an eye or hit the accelerator to get up to speed. I just want you guys to consider some of these issues. Feel free to give me a call or I can walk the property with you. Nobody is disagreeing with you that it needs to be cleaned up., we all know that. I have lived there my whole life

and it has been like that for as long as I can remember. I think we need to be cognoscente of the development that we are putting forward. He knew what he was getting into when he bought the lot; it is a small lot, its nonconforming. We all know what is on there. I think to go above and be extravagant; I think a small bungalow would be nice. It is conforming to what it is. It's my opinion.

Chairman Southern: Is there anyone else who would like to speak either in opposition or has other comments.

Molly Elliott: I to have spent my whole life here, four generations, and I can appreciate what everyone is saying as well. I feel like there can be ways as things go on the market, and Peter is my colleague and I have a lot of respect for him as well, he is a friend and this is hard. These people who are purchasing it are reasonable people to sit and talk to and I know he has reached out to people who are sitting here to have a conversation and be really fair and honest; I have worked with them for 10 years, and no one has called him back. I just feel like there are ways that we all can work together. I understand that developing you're saying Mr. Ford that you are not against it being developed, but what can you pinpoint in the community without specific zoning who can and cannot build things. It is a fine line, you cannot say one person can do it and another cannot. I understand that he has a vacation rental business but he does not own one specific place on the lake at this point that he is renting out that he personally owns. He doesn't.

Lisa Ford: I just wanted to say that there is actually zoning code what use the property can do. Our current zoning says that this cannot be a lodging facility. We are very concerned about that. Thank you for your comments. Also, we believe that there are many reasonable ways as Kathy has pointed out, for this property to be developed. They can keep a smaller house, they can keep simple, and they can clean it up. They can make sure that there is an expansion field for the septic system that is currently not on the plans. They can make sure that the best possible drainage design is put in which they haven't done. Our concerns are that we want people to be safe in our neighborhood, we want our water to be protected, and we want someone to come in there and clean it up with a nice little house in there and not rent it out as a commercial business because we do not want a hotel in our neighborhood.

Bob Eggleston: The only thing I would like to say is that this application is for a single-family dwelling and I don't expect it to be treated any differently than any other single family dwelling in the town. Rick has made the statement at the ZBA, and I don't know if the statement has come to the Planning Board, but I will make the statement that because of the nature of the neighbors who did have an opportunity to purchase the property but chose not to, he has decided that he will not retain ownership once he finishes and develops this. He will put it back on the market and sell the property. He does not want to manage a property in this neighborhood, and he has gone on record as saying that. Again, it is a single-family house. The options are that someone could buy it, paint it and just keep it as it is; not change the parking, not change the septic, not improve the seawall. The neighbors should feel fortunate that someone like Rick who has the resources, will do this project right. He realizes that this project has responsibilities, and he is taking those responsibilities seriously to correct the drainage, improve the property so that it is maintained more appropriate than in the situation that it is in now which is not in the best interest for the neighbors for safety, health or welfare.

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 affirmance of said motion.

Member Kasper: I think we should postpone and discussion until we hear back in writing from NYSDOT and OCDOH. Plus the new information we have received today so that we have time to review.

Member Winkelman: That sound reasonable.

Mr. Eggleston: At this point I think we made it pretty clear that we had recent correspondence from the Department of Health as of the 12th of October. We have had correspondence with the DOT and we have a chicken and egg issue here. Specifically on commercial highway applications, one cannot even continue with a permit until the town has granted a zoning approval. You go and get conceptual approval, which we have with the email from Mike Ryan, and until there is a contractor selected to put on the application, and we have to select that contractor, it is impossible to get a driveway permit. To expect to have the driveway permit in hand by next month, I am not sure if that will actually happen or not. All approvals are subject to permits; we cannot do any work until we have DOH, DOT, DEC permit, and any other agencies that have jurisdiction on here. I am not sure a month will generate any different conclusions, and again these are things they have jurisdiction over of which we have indication that they have no problems with the application.

Member Kasper: John is that the way it works with state driveway permits.

Mr. Camp: What Bob has described as the process is generally correct. With the DOH, I am less familiar with that but given the copies of correspondence that I have seen, I would not expect any change.

Member Winkelman: Bob, the Fords bring up a square footage disparity. Can you explain, you have 350SF and they calculate 575?

Mr. Eggleston: I have to use the zoning law doing my measurements and all of that. There is habitable space and non-habitable space, what we are looking at is floor area of habitable space that is required to have a 7'6" height, unless it is a bathroom or kitchen then it is 7'. There was a volume exercise done by an undisclosed person, and they took floor thicknesses, volume of non-habitable space.

Member Winkelman: There is 36SF in the second floor deck, and then 176sf in the outside deck, and you don't count decks as habitable space.

Mr. Eggleston: Again, I am working with the zoning law and the zoning code and policies. The way that deck in the past is as a detached deck, as a shoreline structure, and that has how it has been handled on past applications. I stand by my numbers, and again it is not a simple zoning law and you cannot apply the first section of the zoning law without applying the entire zoning law. There is also the 2008 open space and maximum impermeable surface interim guidelines. Those weren't taken into consideration by the comments made by the general public. These all are things I work with it on an everyday basis and I am very familiar with it, and I stand behind my numbers on my site plan and my narrative.

Chairman Southern: John, are you satisfied with the work to control the flow of water off the property and the containment.

Mr. Camp: Yes, we had several comments on the application, most of them minor in nature, we had requested a little more attention to capture and divert the runoff coming off the road. There were some efforts to control it that can be seen on the site but they weren't doing a very good job. That was one area of comment that we had. We had some comments relative to the stabilization of the seawall, which the applicant addressed. The original application had some loose rock replacing the failing seawall, and the revised application also showed a grout, which is a fill material available to inject to provide a little more stabilization of the base. We had some comments regarding the original parking layout that have also been included in the revised parking.

Member Winkelman: Bob, can you review again, why you changed the parking configuration.

Mr. Eggleston: The original proposal was to keep the status quo where they park in the shoulder. There is no question, and especially when this become a year round dwelling, that that is not a good plan. What we were able to do is to shift the septic system ten feet to the south property line, which is allowed. That gave us enough room to build a retaining wall, take care of the grade change, and then we have come over with a 40-foot curb cut with flared ends. There is a raised curb with a timber wall that goes around it so that it captures water that flows from the east ditch, during rain events there is a drop invert. Basically, everything from this point over, 80% of the street frontage is captured. We put the water in the inlet and it carries over to a second drop inlet to catch it, then it disperses it into the grass swale that we have created along the side safely. Then it will go along the edge where it will go across the rock filled in on the bank. There is a better detail of it on one of the other pages. What it allows is that we can safely get all of one car on the property. Again, this is an 1100SF two-bedroom house. This is not a 5,000-6,000SF, 4-5 bedroom house. It does allow for guests to be on the side if that is the case. The snow can be safely pushed over to this edge that will accumulate into the swale and go safely down the controlled channel.

Member Hamlin: It was that parking space that pushed you back up to 10.7%. How wide are the tracks there?

Mr. Eggleston: Correct, They are slightly less than 3FT each with a 3FT space between them.

Member Hamlin: The grass strip is 3FT.

Mr. Eggleston: Correct. The problem with grass strips in the winter is that a snowplow comes and peels them off. What we have detailed is that we would keep the grass low so that the sod is not being peeled off. On other projects, we have put an underdrain on it that basically allows the water from the driveway to be filtered through stone and drain. It is kind of putting your water quality treatment right at the source.

Member Hamlin: What is the drop of the retaining wall?

Mr. Eggleston I believe it is approximately three feet, it might be four feet at one point. We will have a guard on the side to protect people as they are getting in and out of the car.

Chairman Southern: Do you have any comments.

Counsel Molnar: I don't except maybe on procedure and mechanics on how the board moves forward. I echo the comments that you have been overwhelmed in the past 24-36 hours with material submitted relative to the application. I would recommend that you take time to thoroughly review them before entertaining a determination on the application.

Mr. Eggleston: If you decide to postpone and carry this forward over the next month, would it be reasonable seeing how the public hearing is closed to accept written statements for ten days.

Chairman Southern: We will, once we make our decision on which way to go. Can I have a motion.

WHEREFORE, a motion was made by Member Kasper and seconded by Member Winkelman to table the decision until the next meeting on November 21, 2017. The Board having been polled resulted in the unanimous affirmation of said motion.

Chairman Southern: We will accept written communication for ten days beginning tomorrow. The public can be rest assured that we have received all of the communication and that it will be looked at. It will be compared against the town code. That is what we have to deal with. If the town code does not deal with an issue then we cannot deal with an issue. The things that the codes covered we will address.

Public Hearing- Amendment Site Plan Review

Applicant: John Teixeira
2763 East Lake Road
Skaneateles, NY 13152
Tax Map #037.-01-04.0

Present: John Teixeira, Applicant

The site plan dated October 16, 2017 has been revised to reflect removal of some of the driveway and placement of the shed that is now 160SF instead of the 192sf originally proposed. Variances have been received from the Zoning Board of Appeals on October 12, 2017. There will be an access ramp to the shed from the parking area.

WHEREFORE, a motion was made by Member Hamlin and seconded by Member Kasper to consider the proposed action as a Type II SEQR action and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

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

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

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Scott Winkelman, seconded by Member Douglas Hamlin, and upon a vote thereon as recorded below, the Town of Skaneateles Planning Board **APPROVES** amendment of the Approving Resolution, with the following 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. That survey dated October 16, 2017, prepared by Paul Olszewski, Licensed Surveyor, as edited by the Applicant to reflect a location of the proposed storage shed with removal of asphalt driveway, be followed in all respects; and
3. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance, be fulfilled; and
4. Except as modified hereby, the conditions set forth in the Approving Resolution remain in full force and effect.

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	Anne Redmond	Present	[Yes]

Public Hearing-Subdivision

Applicant: Banjo's Home Farm LLC
2696 West Lake Road
Skaneateles, NY 13152
Tax Map #053.-01-05.1

Present: Matthew Kerwin, Legal Representative

The application is for a 2.26-acre lot with lake frontage marked as lot 6, subdivided from Lot 4 that will be reduced from 13.5 to 11.3 acres. Access to the lot will be off fire lane 20, with the proposed lot being the third lot on the private drive as the Chantler lot uses fire lane 21. A stormwater detention basin location has been indicated on the map that is south and southwest of the proposed lot. There will be a 22-foot wide access drive to the proposed lot. There are no plans for development of the proposed lot at this time.

Member Hamlin inquired if the stormwater detention basin is the one that was observed at the site visit. Member Winkelman commented that it is more of a grassy swale that directs water than a detention basin. Member Winkelman continued saying that there is a potential there when the 11 acres gets built out to bump it up and improve it. Mr. Camp stated that he would not characterize what is existing as a stormwater detention basin. After review the notes in his file, the intent was at some future point possibly when the next lot gets developed, that a detention basin would be installed there. Chairman Southern commented that there is no development slated at this time for this lot, and it could be addressed when the lot was being reviewed during site plan approval that would be required for this lot. Site Plan approval and/or special permit may be required due to the proximity to the lake.

Counsel Molnar stated that when lot 5 as approved as part of the prior subdivision approval, the lot was subject to the rural siting principles concerning future development of the lot. He queried if there would be any objection of the subdivider to apply the same conditions on the proposed lot 6. Mr. Kerwin commented that they do not oppose putting it on the plans to that affect, however a comment letter that was received today that indicated that these type of developments must comply with the principles, and to clarify, it is that the lots are subject to the town code requirements which include the rural siting principles. The rural siting principles are just guidelines with their application at the discretion of the Planning Board.

Chairman Southern inquired if septic approval has been obtained. The septic design was approved by the OCDOH on September 8, 2014. The septic field is located in the northwest corner with the effluent pumped uphill. Member Winkelman commented that there have been small subdivisions over time, and that the board only gets to look at proposed roads and drainage when a major subdivision is done. The applicant has been requesting small subdivisions with one new lot at a time and the board cannot address the big issues.

Member Kasper commented that if the lot is sold to someone else and they want to construct a dwelling, the board could not compel the new owner to put the drainage in on someone else's land. He continued recommending that a drainage plan be completed now. Member Winkelman commented that they will need a right of way across the property. Member Kasper commented that there will need to be a drainage plan for the proposed right of way. There is water running on the property leading to the lake line. Mr. Camp commented that they have a letter in their filing dated June 25, 2013, that describes the pattern of development over the past several years and the recommendation is that at the time of the next subdivision is applied for, the stormwater management facility should be designed, and placement of an easement along with a 20 foot easement along to outlet to the lake.

Member Winkelman commented that they did built a diversion swale along the southern property line to the lake. The neighbors to the south are not getting washed out with the storms. He agreed with Mr. Camp and said that the stormwater swale was the way the cows were watered and it spills over. It is still a farm field with no defined drainage ways; with the proposed driveway, the drainage will need to be addressed. Chairman Southern stated that the two issues, the right of way and the stormwater facility with regard to the subdivision need to be addressed, whether done now or when development begins.

Member Hamlin inquired if proposed lot 6 is the third lot. Counsel Molnar stated that it is the second in the last 10 years. Mr. Brodsky commented that a letter was received stating that there was over five lots since 1986; however the code classifies a minor or major subdivision based on subdivision within the last 10 years. Member Kasper commented that it is getting to the point that the drainage issues need to be addressed now. Mr. Camp stated that the fact that there is considerable erosion now at the pipe outlet at the bank of the lake is a sign that it is time to address the problem. Counsel Molnar inquired if the erosion was within the bounds of the property. Mr. Camp said yes and shared photos of the drainage and erosion of the bank. The erosion of the bank is visible from aerial photos with the whole bank cut back 15-20 feet.

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.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Kasper, the Board declared this application to be an Unlisted Action. The Board having been polled resulted in the affirmance of said motion.

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? small	X	
2. Will the proposed action result in a change in the use or intensity of use of land? small	X	
3. Will the proposed action impair the character or quality of the existing community? existing condition is single family dwelling along the lake, this is an extension of the existing neighborhood	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a CEA?	NA	
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? no identified resource in the area and there are no improvements proposed	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	

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Winkelman, and after review of the SEQR short environmental assessment form and 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 project. No one spoke in favor of the project. Chairman Southern asked if there was anyone wishing to speak in opposition, or had any other comments.

Alan Methelis, 1126 Wagon Wheel Drive, I just have some comments, I am not opposed to the development. If the applicant had subdivided the whole area, would that have changed the SEQR requirements. Chairman Southern responded yes. Mr. Methelis continued stating that Scott had raised the issue and that he wanted to raise the same issue. Secondly, I thought that the attorney stated that the farmland is okay because there were only three properties or four properties using the road and that it couldn't take any more than that. When they develop the rest of that property isn't that going to be an issue. Chairman Southern responded yes. Mr. Methelis continued asking if the subdivision will have any effect on Greenfield Lane. Chairman Southern responded no.

Dave Graham, 1212 Greenfield Lane, the first two lots were subdivided thirty years ago for lots 1 and 2. I do have some concerns with the detention pond and also the drainage on the corner lot that Mr. Camp was talking about. You may remember five or six years ago, the whole field overflowed and the Murphy cottage was inundated with water. That was when they had to put in part of the work with the riprap and going down into the lake. That ought to be inspected to make sure that the southern corner is up to snuff. The original drawing on this showed that the proposed detention pond was up towards the center of the lot versus down in that corner. You may want to look at that.

Tracy Davenport, 2726 West Lake Road, inquired what the access would be for lot 5. Chairman Southern commented that the access for lot 5 is Greenfield Lane.

Ed Conan, 1216 Greenfield Lane, today I submitted a statement from my wife and I to the board, requesting that the board recognize that because this is a new subdivision that the zoning code provides that it shall comply with the rural siting principles in subsection h of 148-25, and that it be indicated on a revised map so that when and if a new residence is proposed and a site plan review comes back that would be duly noted for benefit of the group here. The attached two are prior correspondences for why

that is appropriate and important because it is a distinction that counsel back in 2013, the applicability of that section to existing lots and applicability of that section to new subdivision, and this is a new subdivision. On a more fundamental level, we have questioned whether in fact this is appropriate for minor subdivision approval because we don't know from the application. By the of which we didn't get notice of that which explains the late submission of our letter. It was just serendipitous that we had gone on the website that is sort of too bad. I believe when you do a subdivision you count all of the lots that are newly created. So that in 1986 three new lots were created, the Bloomers, Greens, and the newly subdivided lot. When the Murphy lot was subdivided, that created two more new lots, which is five. When the Card property was subdivided in 2013 that created two more new subdivided lots, which gets you up to seven. So this is eight and nine, yet he is still going as a minor subdivision. I don't understand it and that is why I have suggested that the board visit that because it is of some import Other than that we simply request the mandate of the applicability of the rural siting principles to this lot and to the others. There are two lots being created, it applies equally to both of them for any new structures on any new subdivided lots. If you have any questions or want clarification I would be happy to provide it.

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

Member Winkelman commented that the lot is active farmland with a right to farm, but it would be nice to have plans in place so when this lot does get sold that all of the other things get built. Chairman Southern said that a plan would be approved but actual construction wouldn't take place until the lots are developed. Member Kasper commented that the easement should be put in place. Counsel Molnar stated that if there are substantial drainage issues then the board should take into consideration. If there are substantial erosion issues perhaps construction would be required prior to a proposed sale of the lot, considering the comments, photographs and other evidence on the record.

Member Winkelman said that there are two parts to the stormwater drainage. There would be a detention pond somewhere near the proposed driveway right of way, and then the outlet for the water that is coming off the berm and down towards the lake.

Member Hamlin requested clarification on the number of dwellings accessing fire lane 20. Mr. Kerwin stated that there are three including the proposed lot. There is a parallel fire lane that the Chantler lot uses for access. Member Hamlin commented that the two gravel drives are two feet from each other and at what point do we consider combining those into one private road. Mr. Brodsky commented that the two private shared driveways that are located on two separate lots. There would have to cooperative activity from all parties. This was tried on an unrelated property that did not come to fruition.

Member Kasper recommended that the applicant get an engineer involved to come up with a drainage plan and the easement and remediation of the drainage going down to the lake before we can subdivide. Counsel Molnar suggested that therefore the board would hold the application over to the next meeting so there would be time for the applicant to submit materials. Their determination would occur after that additional submission at the next meeting.

Mr. Kerwin stated that with respect to the prior subdivision, I believe it has been established that we comply with the regulations for the subdivision and the definition of a minor subdivision. We have not created more than four lots within the last ten years. With the erosion and drainage issues, the concern is that the applicant is being held to a standard with some sort of plan going forward right now and we don't what the potential development of the property will look like, that may be pre-mature. Counsel Molnar commented that there is a design as part of the septic system design in the record, so there is some for-

thought on how the property will be used. Member Kasper stated that if there is a bigger plan of what the applicant is going to do with the property, then the board should know about it. He continued stating that the board is looking at a one-lot subdivision, and the easement, the drainage to correct the existing conditions and the future drainage. Mr. Kerwin stated that these issues speak to more of a site plan type of review and what is being proposed is only the creation of the one lot. The concerns could be better addressed through site plan review should this property be developed. Mr. Camp stated that there is some precedent set by the board with a 4 lot subdivisions on County Line Road with a detention basin designed as part of the subdivision that was required to be constructed prior to any lots being sold. Chairman Southern commented that at that time there was a stated build out of the entire property. Mr. Brodsky commented that it was a minor subdivision and the request was a legitimate request to address the drainage. Counsel Molnar stated that the same was true for the Hidden Estates minor subdivision. Mr. Kerwin inquired if there was a site plan review component for the lots. Site plan review was required for the lots for Hidden Estates. Member Kasper commented that if the applicant sells the lot we want to make sure the retention facility is located on the Banjo property and that the drainage easements are in place. Mr. Brodsky said that the other concern is that the new owner of lot 6 would not have any control on the Banjo property to compel the drainage improvements. Member Kasper recommended that the engineer should begin to design the improvements for the detention basin and the right of way, with the possibility the board could approve the subdivision without the installation of the improvements. Counsel Molnar commented that these are possibilities that can be worked out with the applicant and come up with a constructive method to advance the subdivision application.

Mr. Kerwin inquired about the driveway easement. Member Kasper commented that the driveway easement should be put in place. Mr. Kerwin stated that the driveway would not be installed until development would occur, and if approved, the easement for the driveway would not be filed until the lot was sold. Counsel Molnar clarified that when you are creating a standalone separate lot you cannot have it be land locked. Mr. Kerwin stated that they would file the deed when they file the subdivision deed.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Hamlin to table the decision until the next meeting on November 21, 2017. The Board having been polled resulted in the unanimous affirmation of said motion.

Mr. Kerwin inquired that the board is looking for drainage plans for down by the shore as well as for the road. Chairman Southern stated the drainage plan should be from the road, the detention area, consider the whole drainage area of the lot where the majority of the water is coming down the roadway. They would need an easement along the north side of the road where the berm is. Member Kasper inquired if the applicant had a plan last time. Mr. Camp clarified that there was a plan to protect the southern drain that was created by Soil and Water or some agency of that nature, and that was what improved the berm on the eastern side of the property.

Public Hearing – Special Permit

Applicant: Daniel Flanick
274 Genesee St
Auburn, NY 13021

Property:
4022 Mill Road
Skaneateles, NY 13152
Tax Map #027.-01-47.1

Present: Daniel Flanick, Applicant;

The applicant is proposing an 800 SF personal training facility at the property located at 4022 Mill Road. The existing uses on the property area a chia seed processing operation, a distillery and office use. Parking information was submitted regarding the existing uses and the proposed training facility. Member

Hamlin commented that there are eight spaces spoken for by employees. Mr. Flanick stated that the times the parking would be potentially filled would be during busy times between 5 and 8 am and then 4-7:30 pm as reflected on the submitting parking information. There would 3-4 cars at most before and after working hours, as is the nature of the industry. Member Winkelman commented that he is in favor of re-purposing the old building.

Counsel Molnar recommended that the board adopt its prior SEQRA determination from January 20, 2015 that was a negative determination, and as this proposal is no more than re-purposing space within an existing building.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Hamlin, the Planning Board adopted and ratified the prior SEQRA determination, last reviewed January 20, 2015 for the Application, which was a determination that the Application constituted an Unlisted Action with a negative declaration after review of the SEQRA forms submitted by the Applicant. 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 project. Bob Lotkowitz, 1340 Thornton Grove, stated that he is in favor of the application as the applicant provides a great service. His current location in the village has limited parking and the new location will be a better fit and a great addition to the community. Sue Edinger, 1340 Thornton Grove, stated that the applicant provides a tremendous service and she is part of the 6 am crowd. She manages the Inn of Aurora and is working to also provide the strength training there. Chairman Southern asked if there was anyone wishing to speak in opposition, or had any other comments. No one spoke in opposition or had any other comments.

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

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

1. That the Special Permit 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. That the Survey dated August 10, 2010 prepared by Watkins Land Surveying, Licensed Surveyor, edited to depict the proposed re-purposing of interior space for strength training and conditioning by the Applicant, together with the Parking Study, dated October 17, 2017 prepared by the Applicant and John Menapace, be followed in all respects; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Continued Review –Site Plan Review

Applicant: Brian Carvalho
8 Academy Street
Skaneateles, NY 13152

Property:
Port Way
Skaneateles, NY 13152
Tax Map #054.-05-07.0

Present: Brian Carvalho, Applicant

A site visit was conducted on October 14, 2017. A revised construction sequence dated October 16, 2017 was submitted that includes a correction for number 2 to reflect east; added number 5, remove debris from existing drainage ditches on Port Way and Wave Way; and added number 17, maintain drainage ditches. The site plan dated October 16, 2017 has been revised to reflect the suggestions changes from the town engineer and the Planning Board members at the site visit, and from the board at the Zoning Board of Appeals meeting. The first modification was to the parking area where it was suggested that the radius of the driveway be improved. With the modification the impermeable surface coverage increased to 7.5%.from 7.3% . With the second modification, a section of the Port Way improvements were included to reflect the drainage management. There is an existing berm between Port Way and fire lane 27. The existing grade slopes downhill, and that will be maintained at a 2% slope across the road so that the water would drain to the existing drainage ditch. The drainage ditch surrounds the property and drains to Wave Way and ties into the 18-inch culvert.

Mr. Camp inquired if there was any pavement left from the old Port Way. Mr. Carvalho stated that he is not aware of any that was left. Member Winkelman commented that it seems like there will be impermeable surface added to Port Way; it is so porous right now that it is not even a road and was not sure it was ever paved. Mr. Carvalho commented that he is not sure if it was ever paved. He continued stating that if the section of Port Way, although owned by the Winding Way Association, was included in the impermeable surface calculations that the impermeable surface coverage would increase to 9.7%.

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

Member Kasper inquired how the applicant will be handling all of the brush on the property, and if it will be removed off site. Mr. Carvalho commented that he will be renting a chipper. Member Kasper stated that his concern is that once the trees are chipped, it would stay on the lot and then flow into the ditches. Member Winkelman commented that a lot of it would probably be hauled away. Mr. Carvalho commented that there is lot of brush the neighbors have dumped on the property that he will have to remove as well.

Member Winkelman inquired if the drainage plans were sufficient. Mr. Camp stated yes, that his in his email to the board he had noticed erosion downstream but that is not part of this application. The drainage on site is adequate.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Scott Winkelman and seconded by Member Anne Redmond, 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 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. That the Site Plan A101 dated October 16, 2017 prepared by Kathleen Connelly, Licensed Architect, Erosion Control Plan 1 through 6 of 6 dated August 17, 2017 prepared by James Burke, licensed professional engineer; Narrative and Construction Sequence dated October 16, 2017, prepared by Brian Carvalho (collectively “Site Plan”), be strictly followed; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application, and
4. That all conditions required by the Skaneateles Zoning Board of Appeals in connection with its approval be fulfilled.

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	Anne Redmond	Present	[Yes]

Sketch Plan –Special Permit

Applicant: Richard & Shannon Pratten
 2595 Benson Road
 Skaneateles, NY 13152
Tax Map #035.-01-04.0

Present: Richard & Shannon Pratten, Applicants

The applicant is proposing an event center on the southwest area of the 6.3-acre property. There is an existing dwelling and barn on the property to the north. The event center will have a separated access driveway, of which the OCDOT has approved. The event center would be used year round. There will be a separate septic system that is in process pending the approval process from the town. The applicants have sent letters to the surrounding neighbors regarding the proposal.

Mr. Brodsky commented that the proposal is considered a recreational business in the RF district that is allowed by special permit. He continued saying that he had concerns with the plans and details provided including the calculations. The lot area used as a basis for calculation used the centerline instead of the edge of the road right of way. Floor space calculations need to be verified based on what dimensional table is being used.

Parking is based on seating capacity and there is no indication of the seating capacity of the proposed building and outdoor space used for seating. Topography and drainage also need to be addressed in the plan. He recommended that the applicant consider hiring a professional to assist with the project.

Mr. Camp commented that they show an area for 48 parking spaces and based on the dimensions shown, there is only space for about half the number of cars. Mr. Pratten inquired how much space is required for a parking space. Mr. Camp said that it runs from a 10'x20' to a 9'x18' space. Enlarging the parking area would increase the disturbance beyond an acre and requiring a SPEDS permit from the NYSDEC. Mr. Camp commented that although he appreciates the applicants trying to do the project, he would also recommend getting some guidance from a professional.

Continued Review –Site Plan Review

Applicant: Grace Chapel
1674 US Route 20
Skaneateles, NY 13152
Tax Map #042.-05-05.1

Present: Lee Hudson, Applicant; Barry Sisson, Pastor

Mr. Hudson commented that the board had a site visit on Saturday and he also had a phone discussion with Mr. Camp yesterday. Mr. Camp stated that he had a phone conversation regarding the previous drainage comments. The board had received an email regarding the conversation. The area near the future town driveway is wet and one of the things we could do is to determine a method to install some of the road drainage now that would let the road drain. What had been discussed with Mr. Hudson was the idea of installed parallel swales as part of this application along with the cross-culvert. In lieu of the entire pond, create a relative flat grass lined channel out to the existing cross-culvert. That would accomplish most of the original intent of the prior drainage plan, as the applicant has reduced the size of the proposed parking. If that approach was taken Mr. Camp would feel comfortable with the board that the drainage objectives would be met. Mr. Hudson commented that they would like to have no wet area in front of Grace house.

Member Winkelman inquired what the town had planned for the road, where is it going. Mr. Brodsky commented that a long time ago there was a concept for recreation space on the town owned land and this easement would have been the access with parking in the Grace Chapel parking lot. Mr. Hudson said that they are still offering that if the boy scouts wanted to put trails in there or something like that. Member Winkelman commented that trees could be put in between the parking lot and the right of way since the easement is 66 feet wide. Mr. Hudson stated that the Richards access the land as they work it now and because they had acquired the road frontage, it provides access for the town lot so that it is not land locked.

Mr. Brodsky stated that because the property is located in the IRO district, they can have the parking located 20 feet back from the road right of way.

Mr. Hudson inquired what revisions the board needs submitted. Chairman Southern responded that the plan will need to be updated to reflect the modifications that had been discussed with Mr. Camp regarding the drainage. Member Winkelman commented that there should be drainage swales along the right of way edges and one across the front lawn towards the road ditch. Member Kasper suggested that a condition of approval could be for the updated plans to be submitted to the Chair and the engineer for review. Counsel Molnar commented that it is possible if acceptable to the board.

WHEREAS, a motion was made by Member Winkelman and seconded by Member Hamlin, the Planning Board adopted and ratified the prior SEQRA determination, last reviewed October 19, 2010 for the Property, which was a determination that the Application constituted an Unlisted Action with a negative declaration after review of the SEQRA forms submitted by the Applicant. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Donald Kasper and seconded by Member Scott Winkelman, 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 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. That the Site Plan A101 through A103, dated August 22, 2017 and prepared by Wayne LaFrance, Licensed Architect, be revised to reflect the drainage improvements including swales along both sides of the proposed future access road, a 24 inch culvert under the right of way, and grassy swale located near the Grace House, to be reviewed and approved by the Planning Board Chair and Town Engineer, and to be followed in all respects; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
4. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Sketch Plan-Site Plan Review

Applicant: Skaneateles Country Club
 3344 West Lake Street
 Skaneateles, NY 13152
Tax Map #041.-01-21.0

Present: Robert Marshall, Skaneateles Country Club Golf Club Superintendent;

The proposal is for the renovation of the driving range area that is located within 200 feet of the watercourse, one-mile brook that is a trout stream. There is an existing 7,000SF of teeing area that is inadequate for the use being generated on it, and the USGA recommended an acre for a

pbm.10.17.2017 19

teeing area. If it is not feasible then they recommend that an artificial surface be constructed. Proposed is a 27,000SF area with the front having a concrete pad that will have an artificial teeing surface on it. That helps to maintain a surface for teeing on it all year long.

The second phase the chipping green will be shifted over to the north so that it plays into the existing driving range. Currently it faces the parking lot and has caused some issues. There is an existing berm separating the two areas for safety and there will be an additional concrete pad and cart-parking areas that will increase impermeable surface coverage by 1100SF. There is erosion control details on the plan with the work at the closest points to the creek is at 115FT and 170FT. The artificial turf over concrete area for the chipping green is 6ft x 170ft.

Member Kasper inquired on how much land disturbance there will be with the project.. Mr. Marshall commented that it is a net zero cut and fill, and there will be no hauling in or out of the project. Mr. Camp commented that the plan is difficult to understand, and inquired if the disturbed areas are the areas outlined in colors. Mr. Marshall stated that the disturbed area is in the area of the dark lines. Mr. Brodsky commented that he also had a difficult time reading the plans, and recommended that the plans be resubmitted so the documents would be easier to read for enforcement. Several overlays have made it challenging to read. Mr. Camp commented that the layers do not match up. Mr. Brodsky commented that it is challenging to determine the impact of the erosion because it is hard to identify where the stream channel is located.

Member Kasper inquired when the project is projected to begin. Mr. Marshall commented that he would like to begin this fall, however it may not begin until spring. Mr. Camp inquired what the dark green circle is indicative of on the plans. Mr. Marshall stated that it was the existing chipping green that the landscape architect had drawn on a plan that was overlaid onto the site plan. Member Winkelman commented that the various green shades on the plan indicate the length the grass should be on the various areas of the golf course and do not have any meaning to the board. Mr. Brodsky commented that the watercourse should be delineated on the site plan with the setback measurement where the watercourse is exposed. Member Winkelman suggested that a conditional approval could be granted with the cleaned plans reviewed by Mr. Camp and the Chair.

WHEREAS, a motion was made by Member Kasper and seconded by Member Hamlin, the Planning Board adopted and ratified the prior SEQRA determination, last reviewed March 17, 2009 for the Application, which was a determination that the Application constituted an Unlisted Action with a negative declaration after review of the SEQRA forms submitted by the Applicant. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Donald Kasper and seconded by Member Anne Redmond, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the Site Plan, with the following 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. That the Site Plan L101 dated September 22, 2017 prepared by Rudy Zona, Licensed Engineer, be revised to provide a clean copy of the proposal including setbacks to the watercourse, to be reviewed and approved by the Planning Board Chair and Town Engineer, and to be followed in all respects; and
3. 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	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Sketch Plan –Site Plan Review

Applicant: Kathy Burkhardt
 3139 West Lake Rd
 Skaneateles, NY 13152
Tax Map #051.-01-01.1

Present: David & Francine Pringle, Applicant’s Representatives; Guy Donahoe, Architect

The proposal is for a one bedroom single-family dwelling located on a 18.8-acre lot that has an existing dwelling and detached barn. Mr. Pringle explained that their parents are now ninety and are finding it a challenge with the stairs at their existing dwelling at the south end of the lake. Proposed is the single-family one story dwelling that will have one bedroom that would be located on the same property as Kathy’s, so that there can be assistance available to them while protecting their independence. The dwelling will be solar passive and tie into the existing utilities. The house will be slab on grade with heated floors. The dwelling will not be seen from the road. Mr. Donahoe stated that they have worked with the County to have the dwelling tied into the existing septic system on the property, and the well will also be shared. The driveway will be continued to the dwelling with a separate parking area.

Mr. Donahoe shared an aerial view of the property to demonstrate that the proposed dwelling will have no impact to the neighborhood and dwellings in the area. The proposed dwelling is not considered an accessory apartment due to the size of the proposed dwelling. Mr. Brodsky commented that the bigger concern is the access to Benson Road. Mr. Donahoe stated that when the subdivision was completed in 2006, there were comments from the County with concerns about that driveway. At that time four lots were proposed, and in the end it was reduced to two lots. The County wanted a single driveway and we appealed to the County, Jim Stelter at the time that given they had only done a two-lot subdivision, he would allow the applicant to continue to use the driveway onto Benson Road. Mr. Brodsky inquired if there is a right of way for lot 2 over lot 1. Mr. Donahoe confirmed that they do. He continued reading a letter from Mr. Stelter that once there is a full build out of the subdivision, the existing access for the Burkhardt property will be removed and access would be off West Lake Road. The existing driveway was given a permit approval in 1998 and accepted in 2006. Mr. Brodsky commented that the Onondaga County Planning Board recommended a denial based on the site distance of the road and they did not want an intensification of use on the driveway.

Mr. Donahoe suggested that as the population of the town has decreased, the intensity of use of the road has decreased. There was discussion that that may not be the case with the increase in tourism. Member Winkelman commented that it is still a single-family use with a shared septic and well, more of a family compound that cannot be subdivided. Mr. Donahoe commented that the response from the Onondaga County Planning Board was, in all due respect, rather flippant as it somewhat mirrors their 2006 response. Mr. Camp inquired on the site distance. Counsel Molnar commented the top of the hill is approximately where the cemetery is where it flattens out. Mr. Camp inquired what the speed limit is on Benson Road. Chairman Southern commented that it is 55mph. Mr. Donahoe commented that the County was unable to provide traffic number for the road. He continued saying that he asked the County on the process to have a hidden driveway sign installed on Benson Road, and all it requires is an application. Mr. Donahoe stated that if the hidden driveway sign would make the board more comfortable with their approval, then the applicant would request one; however there is no guarantee that the County would fulfill the request. Mr. Brodsky inquired if the applicant had inquired of DOT on the status of the use of the road and Mr. Donahoe said no. Member Hamlin commented that although the intensity of use of Benson Road has increased, the proposal would not increase the intensity of use dramatically. Member Winkelman commented that it would be quite a burden for the applicant to be required to install the entire driveway right now as part of the proposal.

Counsel Molnar reminded the board that the standard of review required to proceed contrary to the SOCPA finding under state law section 239. The Board needs a super-majority, together with findings referenced in the approving resolution, stating the basis or reasons on which the finding occurred. Mr. Donahoe commented that a letter from Jim Stelter was submitted from 1998 for the approval of the driveway. Member Winkelman commented that it is a big piece of property with basically a single-family compound. OCDOH will be submitting their approval on the septic extension.

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

WHEREAS, the Board referred the Application for review by the Onondaga County Planning Board which returned a recommendation that the application be Disapproved; accordingly the Board considered adopted the following findings (“Findings”) for proceeding nonetheless with a determination on the Application:

- (1) That the addition of the accessory residential dwelling would not increase the intensity of use of the driveway, and/or the public roads serving the Property; and;
- (2) That the driveway off Benson Road had been issued a OCDOT permit on February 10, 1998, a copy of which is on file at the Town; and
- (3) That the Applicant will be applying for a ‘Hidden Driveway’ sign from OCDOT to provide motorist notification of the existing driveway.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Scott Winkelman and seconded by Member Donald Kasper, 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 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 foregoing Findings are ratified and confirmed pursuant to §239-15 of NYS General Municipal Law in response to the County Planning Board's recommendation for disapproval, and incorporated in this Resolution as if set forth at length.
3. That the Site Plan S-1 dated September 28, 2017 and Elevations PB-1 dated September 20, 2017 prepared by Guy Donahoe, Licensed Architect be strictly followed; 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	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Sketch Plan-Site Plan Review

Applicant:	Patrick Riccardi 205 Whiteshore Drive Syracuse, NY 13215	Property: 1242 Greenfield Lane Skaneateles, NY 13152 Tax Map #053.-01-07.0
------------	--	--

Present: Robert Eggleston, Architect;

The applicant owns a lakeside property with a single-family house and a failing stairway to a dock. The applicant has applied to the NYSDEC to construct a storage structure to be located on the dock. Proposed is to replace the 27-foot run of stairs with stairs that would tie into a deck on the roof of the storage building and reducing the length of the stairs to 11.5 feet in height. The proposed stairs will remain in the same location of the existing stairs. A silt curtain will be utilized during construction below the work area. The stairs will connect through a small bridge to the roof deck of the storage building. The four posts to provide support for the stairs and bridge will be hand dug, and the existing log supports from the failing stairs will be removed.

Member Kasper inquired who would issue the building permit for the storage structure. Mr. Eggleston stated that the DEC issues the permit. Counsel Molnar commented that case law in point imposed upon the municipality under the executive law, there must be permit paperwork on file because the town has the obligation to review it for building code compliance. Mr. Eggleston commented that the applicant would still have to get a building permit for the storage building from the town. Mr. Eggleston stated that he is still liable for the structure to meet code with or without a building permit issued from the town as he is the architect of record. Chairman Southern inquired on the amount of shoreline structures on the lot. Mr. Eggleston stated that the lot is allowed 600sf and proposed is a total of 111sf. Member Winkelman inquired about the vegetation around the stairs and if it is a cliff. Mr. Eggleston stated that it is a steep vegetated bank with the very bottom exposed shale.

WHEREAS, a motion was made by Member Kasper and seconded by Member Winkelman, the Planning Board declared this application a Type II action pursuant to 6 NYCRR617.5(c)(10) and not subject by SEQR for further review. The Board having been polled resulted in favor of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Donald Kasper and seconded by Chairman Joseph Southern, 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 additional conditions as follows:

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. That the Site Plan 1 through 3 of 3, and Narrative with Construction Sequence, dated October 2, 2017 prepared by Robert O. Eggleston, Licensed Architect, (“Site Plan”), be strictly followed; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application, and
4. That verification of conformance of completed project be certified by Robert O. Eggleston, Licensed Architect, within (60) days of completion of the project with verification submitted to the Town.

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	Anne Redmond	Present	[Yes]

Sketch Plan –Subdivision

Applicant: Kenneth Karlik	Property:
4186 Summit View Drive	1837 West Lake Rd
Marcellus, NY 13108	Skaneateles, NY 13152
	Tax Map #061.-01-16.1

Present: Gail Brewer, Representative, Williams Realty

The applicant has a 100-acre lot and would like to create two 2-acre lots off Heifer Road next to the lot that was created in 2015. There is demand for lake view lots and the two proposed lots would have lake views. Conceptual raised bed septic plans for the proposed lots 3 and 4 have been submitted to OCDOH for approval, and the deep hole perc tests were performed in the rear of the proposed lots. These would be the last of the west end road front lots.

Member Winkelman commented that the town of Skaneateles views this as important open space with the environmental easement that the town has bought on the corner of Heifer Road and West Lake Road. He

continued stated that there are two houses there they have already impacted the rest of the view from Heifer Road. Counsel Molnar inquired if the south side of Heifer Road is at a higher elevation. Member Hamlin stated that it is a little higher. Counsel Molnar commented that it has a commanding view to the north. Member Winkelman commented that the town was hoping there was enough for the applicant to keep his farm with the easement that the town bought. He inquired how many lots have been subdivided in the past ten years. The proposed lots would tally up to four lots within ten years. Member Winkelman inquired when the rural siting principals apply. Mr. Brodsky commented that they could apply now with a new subdivision. He continued saying that there are the same issues here as with the Banjo subdivision in terms of incremental subdivision versus a major subdivision.

Member Winkelman inquired where the Wainwrights are building their home. Ms. Brewer stated that it is about midway on the lot. The driveway permits still need to be obtained for proposed lots 3 and 4. Member Kasper suggested a site visit should be conducted on November 11, 2017, and the board could also review any drainage issues.

WHEREFORE, a motion was made by Member Winkelman and seconded by Chairman Southern to schedule a public hearing for *Tuesday, November 21, 2017 at 6:30 p.m.*. The Board having been polled resulted in the unanimous affirmation of said motion.

Continued Review - Subdivision

Applicant: Emerald Estates Properties, LP
3394 East Lake Rd
Skaneateles, New York

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

Present: Donald Spear, Representative; Robert Eggleston, Architect;

A revised plan dated October 6, 2017 was submitted reflecting the nine proposed conservation lots with the residual land re-allocated to lot 11. The building envelopes for lots 3 through 6 had been adjusted to not include any steep slopes while providing view of the lake for the higher elevation lots. Lots 3 through 6 are lots that are under 5 acres and will have septic systems designed for the lots. Lots 7 through 11 are larger lots that will allow accessory buildings, and the larger lots may appeal to people who may want horses and a horse barn.

Impermeable surface coverage from the road will be part of the larger lot 11 calculations. The residual lot has been removed so that all of the nine of the lot will have some conservation land in conservation that is outside of the building envelope. As with lots 1 and 2, each of the proposed lots would require site plan review from the Planning Board where each lot would take care of its own drainage on their lot. The water quality pond, once the road was paved, is working as intended directing the water into the ditch. In extreme condition, the stormwater is directed to the south.

Mr. Brodsky requested clarification that all buildings would be located only in the building envelope, including the 44-acre parcel. Mr. Eggleston yes it would including barns. Mr. Spears commented that it may not be necessary with the larger lots. Mr. Eggleston stated that the building lots have large building envelopes, with lot 11 having a six-acre building envelope. Mr. Brodsky stated that the red area is high conservation value that will not be built. Mr. Eggleston stated that a conservation subdivision, by its virtue, is that you have to have an established building envelope. Counsel Molnar reminded that a conservation subdivision has to have a conservation easement that limits development with certain

limitations for flexible uses such as recreation. That will need to be developed and the conservation easement would be everything in red that is high conservation value land, and inquired if it will also apply to everything else outside of the red areas and the building envelopes. Mr. Brodsky said that it should be clarified. Mr. Brodsky stated that the conservation easement should be at least equal to the red high conservation land and what areas in white that will be considered part of the conservation easement with its limitations. Mr. Eggleston commented that the white areas would not have primary structures.

Mr. Brodsky commented that it should be clearly determined so that down the road there are no requests of the ZBA for building outside of the allowable areas. Mr. Eggleston stated that every lot will require site plan review because the whole intent is that they are not doing sprawl, doing 50 lots. Mr. Brodsky reiterated that clarity is needed to be provided to what is allowable in the white areas and red areas of the site plan. Mr. Spear commented that the white space would be determined with each individual lot. Counsel Molnar stated that construction of buildings is limited to the building envelope, so by extension, the white area is not to be developed. Mr. Brodsky stated that the conservation easement could include the white areas. Mr. Spear summarized that it could be left to the Planning Board's determination at the time of site plan approval. Mr. Brodsky commented that the building envelope is highly emphasized with a conservation subdivision. A conservation easement does allow for passive recreation as a use in the conservation easement. Counsel Molnar suggested that the conservation easement language be drafted so that it can be reviewed as part of the conservation subdivision, which would also be part of the board's review of the conservation analysis. Chairman Southern requested clarification on when the conservation easement could be proposed on the white sections of a lot.

Counsel Molnar stated that it has to be done as part of the subdivision approval. Mr. Eggleston stated that to be clear there will be driveways in the white section to access the building envelopes. Counsel Molnar stated that the conservation easement on the white is partially flexible for permitted activities. Perhaps on the red sections is a hard no development whatsoever. In so doing you have conserved the land of highest value as well as land of lower conservation value so that it too is protected.

Member Winkelman inquired on the building lots for lots 1 and 2. Mr. Eggleston stated that they were limited by the conventional subdivision with very large envelopes. They were not part of a conservation subdivision at that time. Member Winkelman inquired on the red areas to the left if they were steep slopes. Mr. Eggleston stated that they are steep slopes greater than 12%. The conservation analysis shows the criteria of each of the factors including view sheds, slopes, wetlands protected farmland and wildlife; each of the criteria was mapped and all of the maps overlaid onto one map. Any criteria indicating high conservation value became part of the high conservation value land. The board has not adopted the conservation analysis as it would be adopted in conjunction of the SEQR so that an approval or action is not given prior to a SEQR determination. Mr. Eggleston commented that they left with the feeling that the board was in conceptual agreement of the conservation analysis.

Member Winkelman said he is not in full agreement of the conservation findings and found it difficult to believe that steep slopes on the front ridge are not highly visible, and that steep slopes in the watershed are much more highly valued than the lands up on top. Mr. Spear questioned what Member Winkelman meant by visible because you cannot see them from across the lake. Member Winkelman stated that when the road was built you could see it from across the lake that is a steep slope. Mr. Spear stated that it is not visible now. Mr. Eggleston stated that it is similar to construction of a dwelling, it's all sheath, Tyvek and plywood, and it stands out. Mr. Brodsky inquired if there are wetlands in the rear of the property. Mr. Spear stated that there is less than an acre of wetlands in the back. Mr. Brodsky commented that the rear of the property was marked as high conservation value because of the wetlands and not slopes or visibility. Mr. Eggleston stated that it added more layers on it. Member Redmond inquired if it was a

NYSDEC wetlands. Mr. Eggleston replied no, and that the red zones were created with layers of analysis. Member Winkelman commented that he would like to see a greater buffer for lot number 4 as the building envelope is right on the edge of the steep slopes. Mr. Spear stated that the lot is bigger than it looks on paper. He continued stating that with proposed lots 3 and 4, they are considering to place a covenant on the two lots to limit the construction of a dwelling to single story with a walk out basement. Mr. Eggleston commented that if they are going in the right direction, then the surveyor could mark the building envelopes for the proposed lots. On the larger lots he could mark the centers in preparation for the site visit.

Member Winkelman stated that it still seems like suburban sprawl, and asked what is being done with the driveway as it may be too steep. Mr. Spear commented that it was the tradeoff that was discussed last month, for the couple of percent off on the slope for the abandonment of the original residual lot. Mr. Eggleston stated that the board would waive compliance with the strict 12% slope for a conservation subdivision with the existing driveway at 13% to a maximum of 14% slope in areas. There would be no residual lot and instead of 6-acre average lot size they are proposing 8.99-acre lot size average. Counsel Molnar inquired if the existing driveway is paved. Mr. Eggleston stated that it is paved up to Nangle's driveway, and will be paved to the hammerhead. Member Winkelman inquired if it was a right of way. Mr. Eggleston stated yes, it is across Goldmann's property, with a 40ft right of way all the up. A site visit will be conducted on November 11, 2017.

WHEREFORE, a motion was made by Member Winkelman 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 10:29 p.m. as there being no further business.

Respectfully Submitted,

Karen Barkdull, Clerk