

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
January 24, 2017**

Joseph Southern, Chairman
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/Secretary

Chairman Southern opened the meeting at 7:30 p.m. Chairman Southern nominated Member Don Kasper as Vice Chair for the Planning Board for this year.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Winkelman to appoint Member Donald Kasper as Planning Board Vice Chair. The Board having been polled resulted in the unanimous affirmance of said motion.

RECORD OF VOTE

Chairman	Joseph Southern	Present	[Yes]
Member	Don Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Discussion

The Planning Board is considering the change in meeting time to 7 pm; however, section 25 of the Town Code will need to be amended prior to the change in time. Any special meetings can be scheduled for any day and time.

Discussion

The Town Board recommended to the Board that their determination on the Zechman subdivision proposal be rendered first, and if approved, conditioned on the Town Board extension approval for the proposed water line extension. Counsel Molnar stated that he will research that the Board can conclude and take action on the subdivision approval with a conditional approval. Member Kasper commented that any approval would also require OCDOH approval before the subdivision could be filed.

Extension Request- Major Special Permit

Applicant: Marc Pietropaoli
791 W. Genesee Street
Skaneateles, New York
Tax Map #047.-01-13.1

Present: Lance Wardell, Victory Sports Medicine, COO:

The applicant is requesting an extension to the special permit to allow the existing two trailers to remain until the relocation is resolved. The two trailers are for office use as the applicant has outgrown the existing space and they have not found a suitable relocation for the business. They are actively looking for a larger facility for their growing business. This is the fourth request for extension before the Planning Board and there have been prior year discussions of whether the extension approval for the trailers should continue.

Member Winkelman commented that there are extenuating circumstances as we have reviewed this before. They have had four years into a project on the other side of town that were delayed and did not go forward, and they have no neighbors that have complained. The land to the west is a farm field and the landlord would like to keep them there. Member Kasper inquired if there are any current plans for relocation. Mr. Wardell stated that they are actively looking to relocate however it all takes time while continuing to provide patient care. They have been in business in Skaneateles for sixteen years and have done a lot for the community. Member Kasper commented that his concern is that this is the seventh year for the temporary permit. Mr. Wardell stated that during that, time five years were spent working on the project on the east side of town with us following all requests from this Board, and it did not come to fruition.

Member Kasper inquired whether the special permit for the trailers could be permanent. Counsel Molar stated that the property is located in the HC district and the trailers utilized in conjunction with the commercial operation in that zone and are not used for other than personnel and storage; there is only electrical hook up. There are only being used for administrative functions of the business. It could be done as a permanent approval by special permit. Chairman Southern recommended that if it were done, it would be done with a condition that the trailers would be removed in the event that the practice moves. Counsel Molnar stated that it would be a reasonable condition for the special permit if the Board wanted and it would proceed as an amended special permit for permanent modification to the original approval. Member Kasper commented that he did not want to lose a medical office in the Town. Member Hamlin commented that the Board should consider whether a precedent would be created with the approval for the permanent use of the trailers. Chairman Southern commented that each action the Board takes is considered on its own merits. Counsel Molnar stated that the Chair is correct; there is some precedential value however review of an application is entirely fact based, and those facts are unique.

Chairman Southern recommended that the applicant submit a new amendment application for the permanent use of the trailers while they are located on the property. Counsel Molnar suggested that the Board review the application today for the one-year extension and that in the interim the applicant can submit an application to request the use of the trailers as permanent.

WHEREAS, a motion was made by Member Winkelman and seconded by Chairman Southern, the Planning Board adopted and ratified the prior SEQRA determination on October 17, 2002 and January 19, 2010, 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 affirmance of said motion.

RECORD OF VOTE

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

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

1. That all conditions of the January 19, 2010 resolution remain in full effect except as amended hereby; and
2. That the approved Minor Special Permit use of the Trailers is extended for an additional twelve (12) months; and
3. That the Applicant shall request a permanent amendment to the Minor Special Permit to allow use and occupancy of the Trailers upon existing impermeable surface, for so long as Applicant occupies the premises.

RECORD OF VOTE

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

Discussion

Mr. Brodsky has prepared an analysis of the existing zoning code in terms of organization, sequencing and ease of use. He continued stating that portions of the code should have tables developed for easier determination of the regulations such as a sign table and nonconforming setbacks for nonconforming lots. Many times, there are regulations with numerical aspects that are buried inside a code section and not easily located. Section heading should be on every page and the page numbers should be consistent in all versions of the code. printed and website. Definitions should be located in one section and there are examples of where there is more than one definition for the same term. The analysis does not include any recommended policy changes, as that was not requested as part of the project. Subdivision code that is located in the zoning code is recommended to be moved to the subdivision section of code.

Member Hamlin commented that there are a number of software programs that exist that allow any practitioner to manage changes. He inquired if the Town has a program like this or has considered a program like this to manage the changes and maintain the code. Management of the code with the official copy and website is coordinated through the Town Clerk's office.

All comments should be sent to Howard so that it can be incorporated. Mr. Brodsky is coordinating the draft with comments with Mr. Russell. Mr. Russell has forwarded a request for comment to him regarding open space subdivisions and cluster subdivisions.

Mr. Brodsky stated that he is advocating a style in the re-formatting of the code where each district has the code listed so that a user could determine what sections of the code apply to their property based on the district. Member Kasper commented that the design professionals should be included in zoning code changes as they are working with the code. Mr. Brodsky suggested that it would be shared with the design professionals after the Boards have made comments and endorsed it. He continued stating that the analysis presented is to vet out the issues that a future group would resolve. Authorization for any draft changes to the code would be commissioned by the Town Board. Draft policy revisions to the Town Code to reflect the comprehensive plan objectives are being developed by Joel Russell. Mr. Brodsky stated that he is eliciting an endorsement from the Planning Board that it supports his diagnosis. Member Redmond suggested that the eastern gateway recommendations be provided to Mr. Russell so that they can be incorporated into the zoning code changes he is developing. Counsel Molnar commented that the reorganization of the code could be accomplished before the policy code changes have been drafted so that the reorganized town code format could be presented to Mr. Russell to incorporate the policy code changes. Mr. Brodsky stated that it sounds like the Board is interested in having a larger review and revision of the existing code rather than the tinkering that has occurred over the last forty years.

Member Hamlin suggested that the Board should encourage the Town Board to have Joel work in these types of guidelines as he prepared his policy draft. Mr. Brodsky stated that the Town Board would determine how the work would be assigned. Supervisor Lanning stated that Joel has not been satisfied with the design of the zoning code for a long period of time.

WHEREFORE a motion was made by Member Donald Kasper and seconded by Chairman Joseph Southern, the Town of Skaneateles Planning Board endorses the analysis presented by Mr. Brodsky to the Town Board. in addition, that the development of the draft document be pursued. The Board also recommends that the Town Board engage Howard Brodsky to produce the draft, reorganized and recodified, which in turn will allow the Planning Board to review and further evaluate the existing zoning code. The Board having been polled resulted in the unanimous affirmance of said motion.

RECORD OF VOTE

Chairman	Joseph Southern	Present	[Yes]
Member	Don Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Skaneateles Springs Preliminary SEQR Work Session

Mr. Eggleston had requested that the Planning Board review the submitted SEQR long form for the Skaneateles Springs project in full for SEQR review. Counsel Molnar stated that on September 16, 2016, the Planning Board lead agency request was circulated and that the Planning Board had determined that the application was a Type I SEQR action due to the scope of the project. Seven agencies had responded stating that they had no objections to the Planning Board being lead agency for the SEQR review on this project. The Planning Board has the authority to review the SEQR long form with the revised dated of August 5, 2016 provided by the applicant.

An informal review of the submitted SEQR long form was completed by the Planning Board, with assistance from John Camp and Howard Brodsky, to identify what areas may need additional information provided so that the Board can make a SEQR determination and informed decision.

Part 1 of the EAF was submitted for the project, Chairman Southern recommended that part 1 of the EAF be review to correct any errors.

The Board reviewed **part 1 of the submitted EAF** and noted the following corrections needed:

A: The description should include the proposed merger of both lots.

B(e): Include Onondaga County Planning Board

C(3)(a): Add 46.23 acres located in the IRO district

D(1)(b)(b): indicate acreage of disturbed

D(1)(c)(i): add restaurant and spa

D(1)(e)(ii): update dates

D(1)(g)(iii): indicate approximate extent of building space to be heated or cooled in SF

D(1)(h)(iv): indicate approximate size of the proposed impoundment

D(2)(j): NYDOT did not express a need for a traffic study in their lead agency correspondence. The phase one approval of the modification of the DOT cut has been issued and did not indicate a need for a traffic study. Mr. Eggleston will confirm the progress on their approval and if any traffic study is needed.

E(1)(a)(ii): Low density commercial and residential; there are approximately 12+/- acres in a conservation easement

E1)(d)(i): Correct “Wildward” to “Windward”

The board preliminarily reviewed **part 2 of the EAF** to determine if additional information is warranted, and noted the following comments:

1 Impact on Land - No Yes

Small, there will be some disturbance around the annex building of slopes between 12-30%

2 Impacts on Geological Features - No Yes

3 Impacts on Surface Water - No Yes

4 Impacts on Groundwater - No Yes

Awaiting more information regarding water supply study

5 Impact on Flooding - No Yes

6 Impacts on Air - No Yes

7 Impacts on Plants and Animals - No Yes

8 Impacts on Agricultural Resources - No Yes

9 Impacts on Aesthetic Resources - No Yes

10 Impacts on Historic and Archeological Resources - No Yes

11 Impacts on Open Space and Recreation - No Yes

12 Impacts on Critical Environmental Areas - No Yes

13 Impacts on Transportation - No Yes

14 Impacts on Energy - No Yes

15 Impacts on Noise, Odor, and Light - No Yes

16 Impacts on Human Health - No Yes

17 Consistency with Community Plans - No Yes

18 Consistency with Community Character - No Yes

Chairman Southern requested that Counsel Molnar prepare a draft negative declaration for the Board to review.

Escrow Request

Applicant:

Russel Zechman
PO Box 9
Skaneateles, NY 13152

Property:
3741 Fisher Rd
Skaneateles, NY 13152
Tax Map #033.-04-14.0 & 12.0

Present: Robert Eggleston, Architect;

An escrow account needs to be established for engineering review for the above application.

WHEREFORE a motion was made by Chairman Southern and seconded by Member Hamlin to establish an escrow account for the Zechman application in the amount of \$5,000. The Board having been polled resulted in the unanimous affirmance of said motion.

RECORD OF VOTE

Chairman	Joseph Southern	Present	[Yes]
Member	Don Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]

Member Anne Redmond Present [Yes]

As there was no further business, a motion was made by Member Kasper and seconded by Member Winkelman to adjourn the meeting. The Board was in unanimous affirmance of said motion and the meeting was adjourned at 9:40 pm.

Respectfully Submitted,

Karen Barkdull, Secretary/Clerk