

TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
April 9, 2015

Mark J. Tucker, Chairman
Elizabeth Estes
Donald Kasper
Joseph Southern
Scott Winkelman
Scott Molnar, Legal Counsel
John Camp, P.E. (C&S Engineers)
Howard Brodsky, Town Planner
Karen Barkdull, Clerk/Secretary

Chairman Tucker opened the meeting at 7:00 p.m. Site visits will be conducted on April 18, 2015.

Sketch Plan –Special Permit/Site Plan Review

Applicant: Steve Burdick
1105 Hencoop Road
Skaneateles, NY 13152
Tax Map #055.-03-22.0

Present: Ryan Storke, CEC Energy Applicant Authorized Representative

The proposal is for a 153' 8" tall wind turbine 10kW Burgey for the applicant's home. The turbine will be remote net metered and the turbine would be installed in the middle of the field behind the dwelling. A SEQR review is being requested for fulfillment of a grant request. Chairman Tucker stated that the tower needs to be 230.5' from the north property line and the proposed location will need to be move further east. Mr. Storke stated that they would relocate the tower further east. Chairman Tucker inquired on whether comment has been obtained from Verizon or the County. Mr. Storke stated that they had contacted the FAA, who has fifteen days to contact them if there are immediate issues, and they contact the other towers. Chairman Tucker inquired if Onondaga County 911 has provided any comments. Mr. Storke stated that the FAA has 45 days to provide any final comments regarding the proposed structure. Chairman Tucker commented that a copy of the letter would need to be provided to the board.

Chairman Tucker inquired about the agreement with the power company to connect. Mr. Storke stated that the interconnection application was submitted and the applicant has conditional approval. The utility company recognizes that there will be a distribution generation on that system.

Member Winkelman inquired on the new location for the tower. Mr. Storke stated that it would be moved further east as the only property line being infringed is to the west. Chairman Tucker stated that it needs to move about 10' further east. Mr. Storke stated that he will update the site

map and re-submit; he stated that the tower will move 12' to the east to make sure it complies with the required setback.

Member Kasper inquired on the location of the cell tower to the proposed WECS. Chairman Tucker commented that the cell tower is across the road near the other proposed WECS, which will be discussed next. Member Estes commented that the residential WECS is located on a parcel with two dwellings.

Member Kasper inquired about the height of the proposed WECS. As the height is over 150', a variance is required and the applicant is requesting a variance of 3'8" over the maximum allowed height of 150'. Mr. Storke stated that tower heights are usually determined in 20-foot increments for a WECS under 100kW. The proposed tower is 140 FT and to bring the WECS into height compliance would reduce the tower to 120FT. This would decrease the efficiency and power production by 35%. A third party financial entity owns the WECS that the applicant is leasing.

Member Winkelman inquired on the design of the WECS. Mr. Storke stated that it is a self-supporting lattice tower. Mr. Winkelman inquired if the land will continue to be farmed. Mr. Storke commented that he is not sure but is assuming so. Chairman Tucker commented that the applicant farms the land. Mr. Storke stated that the base of the WECS is a 13SF base, with the wire buried five feet deep into the ground.

Mr. Brodsky stated that he did not know about the second house or its status. He recommended that the Board request more factual details about the site and clarify the property lines. A concern would be for the subdivision of one of the dwellings, which could cause a setback issue regarding the WECS. More information needs to be submitted including ground photographs and a simulation of what the WECS would look like. After the scheduled site visit, the Board may determine that a ground simulation photograph of how the WECS might appear may be warranted. The applicant should go through the criteria and provide written responses to the criteria.

Member Kasper commented that once the site visit has been conducted the Board may have some of the questions answered and some new questions may arise. Mr. Brodsky stated that there should be a good written record for the application.

Chairman Tucker stated that the applicant needs to consider the impact of a potential subdivision's impact on the location of the proposed WECS. The tax map indicated that the two lots were merged together during the past thirty plus years. Mr. Brodsky stated that there is probably some document the applicant has that shows the land boundaries. Chairman Tucker stated that the applicant may not have that, as it has been a long-standing farm. Mr. Storke stated that Mr. Burdick does not have any legal documents that showed when the parcels were separate. Mr. Brodsky stated that a survey of the existing conditions is essential. Mr. Storke stated that he does not have a survey.

Mr. Kasper stated that the applicant should be made aware that a potential subdivision on the property including one of the dwellings would be hindered by the WECS. Member Estes suggested that the WECS be placed further back in the field to allow his the flexibility to subdivide in the future. Mr. Storke stated that the location was based on an economic basis for

wire run, etc.; however, it might be able to be moved. A site visit will be conducted on April 18, 2015.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Kasper to schedule a public hearing on **Tuesday, May 19, 2015 at 7:30 p.m.** The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan –SEQR Review

Applicant: Steve Burdick
1120 Hencoop Road
Skaneateles, NY 13152
Tax Map #055.-03

Present: Ryan Storke, CEC Energy Applicant Authorized Representative

This turbine is the same as the residential turbine; however, it will be used for agricultural use and does not require a special permit. Mr. Storke inquired if the Board knows the approximate height of the cell tower. Chairman Tucker stated that the cell tower is just under 200FT. Chairman Tucker commented that the Board would also like to do a site visit on this application on April 18, 2015 as the Board needs to make sure that this tower will not interfere with the cell tower. Chairman Tucker stated that the applicant needs to contact the County regarding the proposed WECS. Mr. Storke stated that they will make a more concerted effort to contact 911. Mr. Brodsky recommended that the applicant go through the section of code again to address the criteria in the code. Member Kasper commented that Verizon may have already done the study regarding migratory birds, and other criteria that they could try to access.

Sketch Plan –Special Permit/Site Plan Review

Applicant	Paul & Kathleen Leone	Property:
	1 South County Road	2579 East Lake Road
	Palm Beach FL	Skaneateles, NY 13152
		Tax Map #037.-01-27.0

Present: David Lee, Allan Coffin, Representatives

About a year ago the applicants and the neighbor to the north, Jan Price, acquired a lot and dissolved the lot dividing the parcel between the neighbors. Subsequently, all of the remaining lots were increased in size.

The applicant would like to clean up the waterfront by removing a concrete pad, ramp and steps. In addition, the existing shed and gazebo would be relocated 10 feet further back from the cliff and be rebuilt as they are in disrepair. The new structures will be slightly larger than the existing, with the cedars on the uphill side of the structure will be removed.

Member Kasper inquired if the elevation will be raised at the new locations for the shed and bunkhouse. Mr. Coffin acknowledged that they would be raise slightly. Member Southern inquired if the structures will be moved back to 36' from the lake line. Mr. Coffin stated that it will be 36' to the lake line. Mr. Brodsky commented that the structures have to stay within 50' of the lake line to be considered shoreline structures. Member Kasper commented that the gazebo is proposed at half a foot over the 50' setback line.

Member Southern stated that one building is 24'x24' and the other is 12.5'x12.5'. Member Estes stated that the proposed gazebo is partly beyond the 50' line. Member Southern inquired how that would affect the proposal. Mr. Brodsky commented that the proposal needs more detail as to what the applicant's use of the gazebo is. The applicant needs to more clearly identify what is being removed, show site contours, site restoration work, removal of trees and re-grading. The calculations of shoreline structures and accessory structures will need to be provided.

Member Southern inquired on the use of the proposed structures including water and septic. Mr. Coffin stated that the larger existing structure has a bathroom and pump chamber on the outside that will be maintained in the new structure. Member Southern inquired if it will be used as a residence. Mr. Coffin stated that it will be used for seasonal use as the existing structure has been. Member Southern inquired how to guarantee that the structure does not become a residential structure. Mr. Brodsky stated that you would need to look at the size and the space and internal layout. You would need to determine if the toilet use is for visitor's use while down at the lake.

Chairman Tucker commented that what is needed is an expanded narrative. Mr. Brodsky stated that more detail on the plan and a more explanative narrative is needed. Mr. Camp stated that typically he looks for what will be done with grading around the structures, especially since they are so close to the lake. He inquired about the use of footer drains for the structure. Mr. Lee commented that it would be a slab on grade. Mr. Camp stated that there are footers on the plans. Mr. Lee stated that they have not gotten to that level of detail on the plans regarding footer drains. Chairman Tucker recommended that drainage around the building be addressed.

Member Kasper inquired on the location of the septic system. Mr. Coffin stated that it is in the yard that connects to the field to the south on the neighboring property also owned by the Leones. Member Kasper recommended that the fields should be shown on the plan and inquired if the OCDOH has given their approval on the proposal. The OCDOH had given conceptual approval for the proposal. Mr. Lee commented that there is an existing pump tank and there is no change to the system other than the relocation of the structure. Water connections will also remain the same.

Member Estes commented that the one question we have is how the relocation of the structure will affect the calculations of shoreline structures. Mr. Camp commented that grading is also a question. Member Kasper inquired why the location was chosen for the structure that is located at 50.5' from the lake line. Mr. Lee stated that the amount the structure is moved back is arbitrary; the goal was to take it back a sufficient amount to get it away from the lake. He continued stating that if it is six inches it could be considered. A site visit is not required as the Board had been recently at the site.

Chairman Tucker stated that the Town engineer will need more information on grading. Mr. Lee stated that he will get existing and proposed contours on the plan. Mr. Brodsky also recommended the plan should indicate the major trees that are being removed and planting plans, and erosion control plans. Mr. Camp requested more information on the foot drains and how they will be daylighted.

WHEREFORE, a motion was made by Member Kasper and seconded by Chairman Tucker to schedule a public hearing on *Tuesday, May 19, 2015 at 7:40 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan –Site Plan Review

Applicant:	Robert Leiss	Property:
	Mary Sennett	1411 Thornton Heights Road
	19 Goodspeed Place	Skaneateles, NY 13152
	Skaneateles, NY 13152	Tax Map #057.-01-32.0

Present: Mary Sennett, Applicant; Robert Eggleston, Architect;

The applicant has own the cottage for a number of years and has done improvements to the property. The enclosed front porch is eight feet wide and twenty feet long which is in poor condition. The area of the porch is used for family dining and is too tight to accommodate a table and chairs comfortably; the applicant is requesting that the porch be rebuilt with a twelve foot width with the length of the porch expanded to twenty-two feet.

Variances are being requested form the Zoning Board of Appeals for a 76.5’ setback to the lake, a side yard setback of 11’, increasing the footprint to 7.5% of lot area, and for the lot being under 20,000SF in size. Site plan review is required for disturbing more than 200SF within 200FT of the lake line. The porch will be constructed on piers with the entire seasonal cottage remaining seasonal.

Ms. Sennett commented that they own a parcel across the road that they use for parking. Mr. Eggleston stated that the lot is used for parking but the two lots cannot be merged since they are not connected. Member Winkelman inquired if the little lot is buildable. Mr. Eggleston stated that nothing is unbuildable; however, the applicant has no intention of building on the secondary lot. A site visit will be conducted on April 18, 2015.

Sketch Plan –Special Permit/Site Plan Review

Applicant		Property:
	Lorraine Austin	4251 Jordan Rd
	4247 Jordan Rd	Skaneateles, NY 13152
	Skaneateles, NY	Tax Map #024.-02-05.0

Present: Lorraine Austin, Applicant; Robert Eggleston, Architect

The applicant established a glass blowing studio in 2003 as a craft workshop with 2730SF and a seven-car parking lot. The existing two-story studio consists of the workshop, retail area, office, garage and break room on the first floor with an office and paint room on the second floor. The lot is 37,737SF with 17.1% impermeable surface coverage located in the Hamlet.

The proposal is for the construction of an addition to the rear of the existing structure for storage on the first floor, a walk out basement under the proposed addition and a 160SF porch. The second floor office in the existing structure will be converted to a 660SF apartment with an

expanded balcony overlooking the hot shop. The applicant intends to live in the apartment above.

There is no change to the parking even though the one car-parking requirement is being added, as it is the same person who would be using it for the glass studio. There are at most two employees who work at the studio. For specific events, additional parking is available at the Methodist church across the street. The existing 220/gpd septic system was designed to support a two bedroom dwelling, and the proposal will increase the demand to 140/gpd.

Member Southern commented that the proposed location for the addition drops off steeply, and inquired whether fill will be brought in for the project. Mr. Eggleston stated that the addition will be built into the slope without the need for fill to be brought in. The existing building is built slab on grade and the walkout basement is taking advantage of the site.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Estes to schedule a public hearing on *Tuesday, May 19, 2015 at 7:50 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan –/Site Plan Review

Applicant:	Benedict Tarantino	Property:
	6616 Chevy Chase Avenue	2490 Wave Way
	Dallas, TX 75225	Skaneateles, NY 13152
		Tax Map #056.-02-44.0

Present: Robert Eggleston, Architect

The proposal is to modify the shoreline structures by removing an existing 217SF ramp, two sheds, and a fire pit; and then constructing 177SF in timber steps leading to the shoreline, and a 352SF deck that would be level at the top of the bank and will be 15.9' in height from the lake line. Also proposed is a detached 375SF patio with fire pit located 50.8FT from the lake line.

Existing shoreline structures are 1594SF and proposed 1835SF, with 800SF the maximum amount of shoreline structures allowed for this lot. Impermeable surface coverage will be reduced from 11.8% to 9.9%, while open space will increase from 85.4% to 86.3%. Although the property has 1594SF of shoreline structures, there is no area for a group of people to sit and view the lake.

Variations are being requested for the shoreline structures exceeding what is allowed and for the height of the proposed lakeside deck exceeding 12' in height.

Member Estes inquired when the retaining walls were installed. Mr. Camp commented that the retaining walls were approved in 2007. Member Winkelman inquired whether the deck would be constructed of wrought iron. Mr. Eggleston commented that the construction materials have not yet been determined: however, the color would be dark brown or black to not stand out. Member Kasper inquired as to what is existing in the area of the proposed steps. Mr. Eggleston stated that it is grass that does get slippery, as it is steep in the area.

Member Estes expressed her concern going above the 12' maximum height allowed for shoreline structures by almost four feet. She continued stating that the steps to the north lead to a more level area where the deck could be located to eliminate the variance for height. Mr. Eggleston stated that the deck is at the top of the bank and the steps lead you to the lower area for swimming and the boathouse, the deck you just walk off the bank onto the deck. It would be an area for table and chairs and gathering, with the lower area being too narrow to gather and have a table and chairs. Member Winkelman stated that the Zoning Board would be exploring alternatives. Chairman Tucker stated that the proposed deck is not aesthetically pleasing and does not fit in with the neighborhood.

Mr. Brodsky commented that the deck could be potentially located in the same area with the walking path that leads to the dock that would have an intermediate landing that could serve as the deck and be a way to be away from the slope. Member Estes stated that she is not suggesting how it should be designed but the code has a 12' limit and there is no reason that you can't get down to 12'. Mr. Eggleston stated that the unfortunate thing with the 12' height rule for shoreline structures assumes that all shorelines are flat, and forces people to build on the lake instead of on the bank. Chairman Tucker commented that the applicant is increasing the shoreline structures, making them more nonconforming. A site visit will be conducted on April 18, 2015.

Mirbeau Annexation SEQR Work Session

Member Estes inquired whether the Village Board would also be involved with the SEQR process. Counsel Molnar stated that the applicant presented a petition for annexation of property currently located in the Town, which the applicant would like to have annexed into the Village. The parcel to be annexed, if approved, currently resides in the Town, and the Town elected to be lead agency for the SEQR process. If the annexation fails, the property stays and the Town. Both the Town and Village have passed resolutions authorizing the Town to act as lead agency for SEQR review. Subsequently, the Town has circulated a notice to all interested parties for a coordinated review of the SEQR determination, for all interested agencies having a say in the review. The contacted agencies include NYSDOT, NYSDEC, NYSDOH, and the Planning and Zoning Board of both municipalities. The coordinated review identifies those interested agencies, and the Town requested their consent/objection to the Town acting as lead agency. There have been no objection to the Town acting as lead agency, and when the period of response has closed, the Town will pass a resolution stating that it is lead agency for SEQR review. The Town in making their determination welcomes any comment from the various agencies.

The two parcels requested to be annexed into the Village have an existing municipal boundary line that intersects both. The Town has asked the Town Planning Board for their assistance in reviewing the SEQR as the Planning Board has extensive experience in its regard. Recommendations from the Planning Board, with assistance from John Camp and Howard Brodsky, to identify what areas may need additional information provided so that the Town Board can make a SEQR determination and informed decision.

The applicant has requested that the review for the "Gateway project" in full for SEQR review. To consider also other parts of the project that may impact the SEQR such as stormwater runoff from the hill above and the water quality facility on-site that may be increased in size with proposed development of the area. The applicant requests that the SEQR review be done without

including the full Mirbeau property and its potential expansion in the future. The applicant would like the Town to recognize that the proposed expansion on the Mirbeau site is not entirely linked to the annexation, as it is independent and may not occur. In any event, proposed expansion would be reviewed in full by the Village boards and subject to their SEQR review.

The applicant's attorney submitted a letter outline the SEQR permit segmentation under the conditions provided that the Town board makes its findings, articulates how and why it is segmented with the reasons on why it is based. Furthermore, despite segmentation, whatever project not included in the SEQR at the time of annexation will be subject to a full SEQR review, which will be no less protective of the environment. Mr. Molnar suggested that the Planning Board follow the proposal outlined as stated above and prepared by Kathleen Bennett.

The applicant's attorney reasons for this recommendation of reviewing aspects of the proposal separately lie in that fact that the Mirbeau facility is located wholly within the Village of Skaneateles and subject to jurisdiction of the Village. This will require the Village to complete an environmental review of that property and change if and when they are presented. The gateway project including annexation and the Mirbeau project are not related to each other and should not be viewed as a single course of action. The ownership of the Mirbeau facility is under separate ownership of the parcels subject to annexation. The Town does not have any discretionary approvals to issue with respect to the Mirbeau facility, etc.

While the applicant is suggesting segmentation, the applicant is also conceding that there are factors that exist at present that need to be taken into consideration for the SEQR review to be completed in the Town such as fact that rain does not just fall on the annexation parcel. The water needs to be taken into consideration as it travels down the hill from the properties upland. The stormwater runoff is important factor for consideration including the stormwater facility below and how it is going to be redesigned. There may be other factors too as the board reviews SEQR part two.

Mr. Camp commented that, as part of a meeting with the applicant's designer, and part of the drainage approach appear to be that the increase in runoff from any Mirbeau expansion would be mitigated down in the gateway parcel. Member Estes asked for clarification on the statement. Mr. Camp stated that the applicant has not designed anything yet, but based on the discussion it appeared that they feel that any increase in drainage for the Mirbeau expansion would be mitigated on the gateway parcel. Chairman Tucker stated that the applicant is proposing a larger detention facility that will affect into the Town section. Mr. Eggleston stated that Peter Osborne, who is doing the civil engineering for the water, has a presentation to share with the board when the stormwater drainage section is being discussed. Member Estes commented that we just stated that we will not be looking at the proposed changes at Mirbeau. Counsel Molnar stated that the water is important. Member Estes stated that she believes the drainage is important and only look at one portion of the plan. Counsel Molnar stated that water coming down the hill whether there are modification to the Mirbeau facility or not and the same amount of water will be coming down the hill; this is an important aspect for the board to look at is the drainage. Member Estes inquired whether the same amount of water would occur if they do their proposed expansion. Member Southern stated that the impermeable surface is added will increase the rate of runoff.

Member Estes stated that water runs down the hill and so does light. The board should look at lights shining down the hill and affect the properties below. The board should look at other environmental factors and not just pick and choose. Mr. Brodsky stated that board might want to look at what is contingent. The drainage is contingent is upon what goes on uphill and are therefore linked. Counsel Molnar stated that light, noise and other factors are not as they would be fully vetted with the SEQR process through the Village as they review the expansion. Mr. Brodsky stated that the annexation area will not be altered by light from the building uphill. Mr. Brodsky inquired that the text that was distributed about segmentation recognized that it can be difficult decision to make but also discussed the use of a generic EIS as a device to more general discuss something when we don't what will be happening next. The board could establish some broad boundaries that could happen that could get refined as any proposal is submitted at a later date. Counsel Molnar stated that it is important to note as the Planning Board has a dry run and provides feedback to the Town Board that can use as consideration in their SEQR review.

Mr. Brodsky inquired on how the Board is to answer the question of zone changes in the gateway project. One early letter regarding the annex land talked about zone change to A3 and a subsequent letter it was stated that the zone would be unknown. Counsel Molnar recommended that the Board use what the maximum development of the applicant's proposal regardless of what zone changes are, which would presume that the applicant would be advancing their request for the uses shown.

Mr. Eggleston stated they the applicant was asked to show the full build proposal and that the annexation is the first step of developing the proposal. Once it is annexed into the Village then the zone would be determined whether it is A-2 or A-3. The applicant is proposing that the zone be A-3. There may be other changes to zone to be in line with the comprehensive plan and mixed uses. What was proposed was just a maximum build out sketch. Member Estes inquired if the Board does not know what the zone will be if the parcels are annexed into the Village, the how the SEQR can be done. Member Southern stated that the SEQR review for zoning should be based on the zone that parcel is located today which is highway commercial. Counsel Molnar stated that it can be in terms of comparison. Member Southern stated that single and double family occupancy is not permitted in the highway commercial zone. Counsel Molnar stated that it is reasonable for the board in terms of its observation of the SEQR to assume the maximum build out presented by the applicant for the property once it is annexed with the SEQR determination taking that into consideration, and not necessarily what the Town zoning permits. Considering the proposed maximum build out is the most reasonable and the most cautious way to review it in terms of SEQR.

Mr. Brodsky stated that the applicant is proposing a text amendment to allow the medical office use in the A-3 zone. Mr. Eggleston acknowledged that the applicant would pursue it. Mr. Brodsky stated the A-3 zoning is more restrictive that the build out proposed. Member Estes stated that if the Town annexes the property based on this proposal that has not been approved, then the applicant could do anything they wanted with the property and we would not have any control of it, putting the Town in a bad position. Member Southern stated that our code says that the parcels should be treated as highway commercial and if we give it to the Village they will have a say on what happens with it. He continued stating that if it is important then we should do anything to maintain it.

Mr. Brodsky stated that the Town may view this proposal as a great idea. It goes back to what is the purpose of annexation and what is the best in the community's interest. The applicant has not provided why annexation is in the best interest of the community in the Town, Village or both.

Mr. Eggleston stated that if you read the full petition all of the legal criteria for annexation have been given and all those legal questions have been answered. That is for the Town and Village board to determine what is in the best interests of their constituents. It is a dollar and cents thing and is more esoteric. In terms of SEQR, whether it is this proposal or it is a gas station or housing, there will be development. Shown is what is what the applicant considers as maximum aggressive build out for the purpose and extremely cautionary. They might not let us build this dense nor to this level of coverage, but we had submitted maximum build out concept. Stormwater numbers will be created for the whole stormwater system and are counting on the gateway property to be part of the solution. Once annexed the Village will determine what uses and density is allowed and how it fits with the comprehensive plan.

Counsel Molnar stated that these issues are important and will be reviewed by the Town and the Village in terms of annexation. The Town Board, as lead agency, has requested the assistance of the Planning Board for purposes of completing the SEQR. Narrowing the focus to the SEQR analysis is reasonable based on assumptions of the proposal. Member Estes commented that the maximum build out regardless of how it is zoned. She inquired why the SEQR review should take into account what is proposed based on each of the possible zones that could be designated. The questions on the SEQR will differ based on what may be proposed. Counsel Molnar stated that if there is an altered project that makes this SEQR determination questionable, then it would be required to re-review the SEQR for the altered project. He continued reminding the Board that the Planning Board is in an advisory capacity to the Town Board. Member Estes stated that she is un-trustful of some of the assumptions and that the project could be changed. Mr. Brodsky commented that the board could also include in their recommendations to the Town Board some questions that may need to be addressed if the project is modified.

Part 1 of the EAF was submitted for each of the projects, one for the gateway and one for the Mirbeau expansion. Drainage from the expansion should be considered when reviewing the EAF for the gateway. Chairman Tucker 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:

B(a) Correct Town of Skaneateles Board of Trustees to Skaneateles Town Board

B(g). NYSDEC should also reflect remediation from past oil spill

There is a question regarding part of the Fuller/Franklin Street and whether it is located in the Village or will need to be annexed into the Village

C(2)(a) Mr. Eggleston stated that it is mentioned in the 2005 comprehensive plan for the gateway and sidewalks for pedestrian access

C(2)(b) Mr. Brodsky inquired if there specific boundaries to the western gateway project that included this property.

C(3)(c) note the applicant is also requesting a text change to include medical facility as an allowable use in A3 in addition to a zone change to A-3.

D(1)(e)(ii) indicate the phase when the stormwater drainage plans will be implemented. Mr. Eggleston stated that it would likely be an early phase, probably phase two.

Member Winkelman inquired on where the existing stormwater drainage flows. Mr. Camp stated that it flows out to under the road and into a Town culvert. It then proceeds to the stream off West Elizabeth Street.

Mr. Osborne presented the existing drainage conditions he observed yesterday. The upper farm fields drain into the Town pond on the garage parking lot. The pond then drains to the outlet structure and from Rosalie's and out letting pipe that empties out in the detention pond. Mr. Camp clarified that the underground pipe is 18" in diameter that is one piece with no breaks to the surface. Any surface water cannot enter the pipe. The Town has an easement for the pipe and the ditch that runs on top of the pipe.

Mr. Osborne stated that the ditch is steep coming down the corner but then flattens out with some spill onto the neighboring properties. The ditch feeds to the existing pond off Fuller St. Mr. Eggleston stated that the Rosalie's stormwater runs through a ditch before entering the pipe. He continued stating that the drainage for Mirbeau was designed to drain into the swale before entering the pond. Member Estes stated that it does not drain into the pipe.

Counsel Molnar inquired if the applicant is proposing for the stormwater to be picked up by the pipe. Mr. Eggleston stated that they have made a list of recommendations that should occur to the Town's drainage and swale system. The Town is responsible for the drainage in the area and should include catch basins periodically to pick up the water, which would help to collect the water in the swale and put it into the pipe where it belongs. He continued stating that the swale has not been maintained and has caused breaches to the system.

Mr. Camp stated that if the Mirbeau expansion project happens, it will increase the flow in the area of the swale and the detention pond. He continued stating that he would recommend to the Town that Mirbeau be responsible for improvements to the ditch so that it can handle the increase water flow into it.

Mr. Dalpos stated that the additional increase in stormwater could also be handled on the Mirbeau property at the top of the hill rather than having it flow into the ditch. Mr. Camp stated that he was told earlier this week that it would be draining into the ditch and retention pond at Fuller Street. Mr. Dalpos stated that no one knows for sure what will be done. Mr. Eggleston stated that Peter Osborn's office is doing the calculations on the drainage for the site. He continued stating that there is enough land to solve any drainage issues to today's standards. Mr. Osborne stated that there is a little bit of room to expand the pond and control what we needs based on the preliminary numbers.

D(2)(a) Member Estes inquired about the amount of excavation and the soils being removed from the site. Mr. Eggleston stated that it will all remain on site. Mr. Osborne stated that where the existing gas station area is a big cliff with a proposed driveway to the west of it. Some of the soils will be used for fill there. He stated that there will be an excess of 220CY of fill based on a preliminary grading plan and the excess can be eliminated by adjusting the grading.

D(2) c) Chairman Tucker inquired as to how the project will affect water customers up the hill; will there be enough water pressure. Mr. Eggleston stated the problem of the water pressure is for the people up the hill and the gateway project is located at the bottom of the hill Chairman Tucker stated that the water pressure should be analyzed on how the proposal will affect the people up the hill. Mr. Eggleston stated that this project may help the Town in securing grants for the water tower because there will be job creation with the proposal.

Member Kasper inquired if the property is located in the Town water district or the Village water district. Mr. Eggleston stated that it currently is in the Town water district that will change to the Village water district at the time of annexation. Mr. Camp stated that the property may be connected to the Town water pipe. Mr. Dalpos stated that it is currently connected to the Village water system. Member Kasper inquired if the Town would lose revenue if the property is no longer part of the Town water district. Member Estes asked if the property is in the Village water district. Mr. Eggleston confirmed that the property is serviced by Village water. Mr. Camp commented that he did not know how that would happen, Mr. Dalpos stated that the property has had water since the prior owner of the property. Mr. Camp stated that the nearest water main in on the Town side of the meter. Mr. Dalpos stated that the properties are bisected by the village line and that is why the properties get Village water.

Chairman Tucker commented that there is a bigger revenue impact that he had discussion about today. He continued stating that the information was removed from what Gary Dower had submitted. There would be a financial loss in the Town highway department fund is the development. Mr. Eggleston stated that if the property stays in the Town it will remain undeveloped. Chairman Tucker stated that there is still an option to develop it in the Town. There was a proposal to develop the property several years ago and the applicant dropped it. Mr. Eggleston stated that the applicant could not get Village sewer. Member Southern stated that the financial impact would be reviewed by the Town Board.

D(2)(d) Chairman Tucker inquired on if the Village sanitary sewer as the Village says it does not have room for expansion and will the system is able to accommodate the proposal. Member Winkelman requested the breakdown of the 3,640 gals/day of waste generation. Mr. Eggleston stated that there will be six houses at 220 gallons each.

Mr. Brodsky inquired about the comment of the twelve trailers, two gas stations and a two-bedroom apartment; however no time frame was indicated. Mr. Eggleston stated that it was abandoned by the late 1990s.

D(2)(j) Mr. Brodsky inquired about the driveway connection between the existing Mirbeau site and the annexation site. He continued stating that is dependent and

contingent to the traffic of Mirbeau and inquired what the purpose of the connection. Mr. Eggleston stated that on commercial site, when there is a relationship of the two structures, you do not want to direct traffic back onto Route 20 to enter the other property. It was designed to relieve the amount of traffic on Route 20 going in and out. Mr. Brodsky stated that it would be a second driveway to distribute the traffic potential. Member Estes stated that the Mirbeau traffic could use both driveways to exit onto Route 20. Mr. Camp commented that the driveway would go through two separate lots. He continued recommending that the lot have an easement established as it gets its site approval from the Village. Chairman Tucker inquired if Mirbeau is connected to Rosalie's. Mr. Eggleston stated that there is a walkway that connects the properties.

D(2)(k)(iii) Member Winkelman stated that the village electric capacity will need to be analyzed to determine if the system can support the proposal. Mr. Camp stated that the Town Attorney is preparing a list of questions for the Village DMO including the electrical usage.

D(2)(r)(ii) Chairman Tucker inquired whether the recycling and waste will go to the Skaneateles Transfer Station or the Onondaga County Resource Recovery Agency (OCRRA). Mr. Eggleston stated the property would have the right to use the Skaneateles Transfer station.

E(1) Member Estes inquired whether the current acreage reflects what is existing. Mr. Eggleston confirmed.

E(1)(d) Chairman Tucker stated that the proposal is within 1500FT of a NYS group home for developmental disabilities.

E(1)(h)(iii) Chairman Tucker inquired if there is still testing with the pipes located on the property. Mr. Eggleston stated that the DEC has closed it out. Mr. Camp stated that he saw a letter that states the property is basically clean but had a qualifier that if there will be excavation of more than three or four feet then the DEC should be contacted in case there may be additional remedial work needed. Mr. Dalpos stated that the DEC has to be contacted if there is anything found for further steps. Member Estes stated that it means that you would be testing and excavating at the same time. She continued stating that you could have excavated soils leaving the site. Member Estes stated that knowing that the site was contaminated in the past the agencies listed on part B should also list the DEC in regards to site remediation.

The board reviewed **part 2 of the EAF** and noted the following comments:

1 Impact on Land - No Yes

(a) Small impact depth to water table

(b) Member Winkelman inquire on the slope of the driveway to Mirbeau. Member Estes stated that 17.1% of the site is between 10%-15% slopes. Mr. Camp stated that there is a very steep drop off behind the old gas station building. Mr. Eggleston stated that there is a steep drop off of 30%, but less than 10' of width and less than 5,000SF, which does not qualify for a classification of steep slope. Mr. Camp stated that the question is the

existing landform and a topo survey has not been provided. A survey with topography needs to be submitted before analysis can be completed.

(d) Small impact

(e) There is a small impact, as the project will be completed in phases. Member Estes stated that it is difficult to determine if the project does not stay the same. Mr. Eggleston stated that the dwellings will be 1800SF and the medical office building 7500SF.

(f) It will be a small impact if the erosion control is completed properly.

2 Impacts on Geological Features - No Yes

3 Impacts on Surface Water - No Yes

Chairman Tucker stated that although there is no stream on the property, it will eventually drain to into a stream. Mr. Eggleston stated that storm water drains to an outlet, into a ditch, crosses under the road and then into a stream. Member Kasper stated that a stormwater plan would address the drainage. Member Estes stated that all of the drainage affects the lake. Mr. Eggleston stated that this question is referencing impact to the shoreline and that stormwater will be addressed later on the SEQR form.

(k) Additional information on capacity of wastewater treatment facility is needed.

4 Impacts on Groundwater - No Yes

(b) There is a question on whether the water supply demand will be impacted. Mr. Camp stated that he interprets that question to be about the source of the water, in this case Skaneateles Lake. Infrastructure is another question later.

(h) Member Estes stated that there could be an impact potential in the excavation of the spill site that could affect ground water.

5 Impact on Flooding - No Yes

(d) Need stormwater calculations

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

(a) Small impact may occur

(b) Small impact may occur

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

(a) Need calculations of impact to Village Electric; Small impact

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

16 Impacts on Human Health - No Yes

(a) Small impact may occur, as parcel is located within 1500FT of a group home.

(b) Small impact may occur as parcel had a spill remediation. The original spill plume extended to Highland St.

(f) Small impact may occur, as there will be a medical office with hazardous waste.

(h) Small impact may occur based on prior spill remediation. Member Estes stated that the spill was substantial when it happened and consideration should be given to the use of the word 'may' in any of the questions. She continued stating that she has had prior experience with remediation and that remediation is never completely finished when you start digging again.

17 Consistency with Community Plans - No Yes

(c) Small impact may occur, as it is not consistent with local land plans or zoning regulations. Mr. Brodsky stated that the proposal is not consistent with the existing zoning regulations but it is consistent with the comprehensive plan. Mr. Eggleston stated that it will be mitigated with a zoning change.

(e) Need information from Village regarding expected water, sewer and electrical usage and its impact to the utilities. Mr. Eggleston stated that there is plenty of electricity available. Mr. Southern stated that there is electricity available but the cost may increase for all of the residents using village electric.

18 Consistency with Community Character - No Yes

(a) Small impact; Chairman Tucker stated that the part 1 of the EAF indicated that there would be a need for more police.

Member Estes stated that by answering the question the way we did, we completely did not answer any questions regarding stormwater. She continued saying the stormwater is surface water that you are trying to direct and prevent it from getting into the ground water, and we ignored the entire subject that is critical to the review. Member Estes suggested that it might be addressed under **5(d) impact on flood-** the proposed action may result in or require, modification of existing drainage patterns. Mr. Eggleston stated that it would be mitigated by a stormwater plan that will maintain the same outflow. Mr. Camp had requested addition calculations on the stormwater plan. Chairman Tucker stated that additional information should be submitted. Mr. Camp stated the calculations should include existing versus proposed conditions, peak discharges and conveyance calculations to demonstrate what they have outlined will meet the requirements of the regulations and not have an effect on downstream neighbors. The SEQR regarding flooding should be revised to include stormwater. Mr. Camp stated that the

SEQR process is designed to regulate larger projects. Chairman Tucker stated that the Town can address it to your community. Member Southern suggested that it could be listed under **g for other impacts**. The Town's concern is with local neighbors if the appropriate stormwater measures are not taken that could result in damage to the neighbors.

Mr. Eggleston recapped that the stormwater calculations and plans will be given to Mr. Camp for his review and comment to the Town Board. The Village DMO will provide sewer, water and electricity usage information to the Town Board. A contour map identifying slopes of 15% or greater will be provided. Member Estes stated that there was an erosion control plan requested. Mr. Eggleston stated that since there will be land disturbance of an acre or more a SPEDES permit will be required that includes an erosion control plan once the concept plan becomes a proposed plan. He continued saying that there are no shovel ready designs at this point.

Also commented that an analysis is needed on the project's impact on the Town Highway Department budget and Town tax base.

Counsel Molnar recommended that the Board provide a summary and copy of the draft minutes to the Town Board. Mr. Brodsky stated that the Town Board can also add any requests as they see. Counsel Molnar inquired if the Board has a declaration of significance recommendation for the Town Board. Chairman Tucker commented that additional information has been requested that needs to be considered. Member Southern inquired if the additional information requested will adversely affect the findings. Member Winkelman stated that it could from the standpoint of the sewer capacity and infrastructure. Counsel Molnar stated that the determination is whether the project has or does not have impact to the environment. Member Estes stated that a positive declaration does not necessarily mean that project cannot be approved but that more details will need to be provided to mitigate the issues.

Member Estes stated that a preliminary determination would not be prudent, as we had requested additional information that could impact the determination. Mr. Brodsky stated that the only reason you would be making a preliminary declaration now is to make the timetable for the joint SEQR review meeting on April 20, 2015. Mr. Eggleston stated that the joint meeting on April 20th is a preliminary meeting and not the final. Counsel Molnar stated that the draft minutes and summary of concerns and requests of the Planning Board will be created and circulated to the Planning Board prior to submission to the Town Board.

WHEREFORE a motion was made by Chairman Tucker and seconded by Member Estes to forward their review and summary of comment to the Town Board in preparation for their SEQR review and determination on the annexation. The Board having been polled resulted in favor of said motion.

As there was no further business, a motion was made by Chairman Tucker and seconded by Member Southern to adjourn the meeting. The Board was in unanimous affirmance of said motion and the meeting was adjourned at 10:20 pm.

Respectfully Submitted,

Karen Barkdull

Karen Barkdull, Secretary/Clerk