

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
May 19, 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 May 30, 2015. The meeting minutes of April 21, 2015 were previously distributed to the Board and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to approve the minutes as corrected. The Board having been polled resulted in the unanimous affirmance of said motion.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Public Hearing –Special Permit/Site Plan Review

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

Present: Steve Burdick, Applicant; Alex Fox, CEC Energy Applicant Authorized Representative

No one wished to have the public notice read. The Onondaga County Planning Board had no comments in their resolution dated April 15, 2015. The Zoning Board of Appeals has approved the variance for a height of 153.8' at the May 2015 meeting. A revised site plan dated May 6, 2015 was submitted reflection an adjusted WECS location to comply with the required setbacks.

WHEREFORE, a motion was made by Member 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.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. Edward Bragg, 1155 Hencoop Road, stated that the proposed WECS would have a significant impact to the property values in the area. Many of the lots qualify for agricultural and/or residential WECS. Will the Board take into account the devastating impact to the land values of the people and what it is going to do to the Town?

Member Winkelman stated that this is an integral part of the agriculture as we are trying to encourage agriculture. The majority of the land values that are up and down Hencoop Road have gorgeous views of the lake because of this farmland. Too many wind turbines would be a problem if it were all over Town.

Chairman Tucker stated that it was brought up that if we had too many we would have to do something about it. He continued stated that he has a WECS and his assessment went up \$30,000.

Ralph Alexander, 1177 Hencoop Road, all else being equal, the adjacent properties would decrease in value. He continued stating that he has five acres and would qualify for a WECS as well as Mr. Bragg,

Chairman Tucker clarified that the WECS for residential use would require a special permit from the Planning Board.

Mr. Alexander stated that section 148-K4(c) addresses significant view sheds, and one of the views is at the corner of Hencoop and Weeks. That section contemplates an eastern view and to the southeast from that intersection, but that list is to be expanded upon. From the bump on Hencoop all the way down there is a magnificent view that will be diminished as well as the other side of the lake from Coon Hill looking to the east, and some other locations that he had notices on that addendum.

Member Kasper inquired how it would diminish the value of your property.

Mr. Alexander stated that he loves living in the country and agricultural district, however, this structure is not like a silo, it is like an industrial type of structure. It would be like if nuclear power was available individually, would you want a 150' cooling tower. He wants the farms to do well, but the structure is not agricultural. He does not want development and the agriculture is a positive, but you have to have a balance. You have a benefit to the family and a detriment to the Town and neighbors.

Mr. Brodsky recommended that the best venue to address the cumulative impact of several WECS is through code review. If there are issues the codes is not addressing then you would need to revise the code.

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.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Member Winkelman stated that the distinction here that it is associated with an agricultural operation. The comprehensive plan states that we should encourage viable agriculture and windmills are part of a modern farm. Member Estes clarified that the proposal is for a residential WECS. She inquired about the noise issue with one WECS creating 52-55 dB and if you have multiple WECS in the same neighborhood then you have a constant whir.

Chairman Tucker inquired what is the number of acres a person would need for the WECS. Mr. Fox stated that it is up to the Town, as NYSERDA does not require a certain number of acres. Chairman Tucker stated that his neighbor wanted a WECS on his five acres but was unable to do it because of the setbacks required. Mr. Fox stated that it is usually 1.5 times the tower height as a NYSERDA standard. Chairman Tucker inquired if the WECS will be serving both residents and continued stating that both properties could be serviced by one WECS with net metering. Mr. Fox stated that the WECS would then has to be a 50kW turbine and that would exceed 110% of their power needs.

Member Southern inquired if NYSERDA has dealt with the impact of turbines on property values. Mr. Fox stated that they have not seen any negative impacts and they may some literature on it that could be provided to the Board. Chairman Tucker commented that his WECS has not negatively affected the property values of his neighbors. Member Kasper commented that there are more residential homes around the proposed WECS.

Member Estes inquired if there will be lights on the wind turbine. Mr. Fox stated that they had contacted the FAA and that if they require one it would be a red strobe light. Chairman Tucker stated that the Verizon tower is 195' tall and did not require a light. Mr. Brodsky stated that the lighting requirement would be the FAA's jurisdiction with the Town having influence on location of the tower. Member Estes stated that approval could be contingent on the FAA regulations of whether it needs a light or not, and we could refuse the WECS if it requires a light. She continued by stating that she would like information on the impact to property values in the neighborhood where WECS have been installed.

Member Kasper commented that if the proposed WECS is approved it would place three towers together in a small area when you include the agricultural WECS and the Verizon tower which is going against the view theory. Member Estes stated that it is resourceful and from a global perspective we need to look at it.

Member Kasper inquired if lightning hits the wind turbines. Mr. Fox stated that WECS are made to withstand lightning with two-surge protection and there have been no issues with the WECS they have installed with damage from lightning. He continued stating that the converter shuts off if there is any problem with the tower.

Member Winkelman commented that many farms are now doing solar. Mr. Fox stated that wind turbines are more than two times as efficient as solar with 56% efficiency with wind turbines and 20% efficiency with solar arrays. Solar arrays for 10kW usually have of footprint of 400-600SF

whereas a wind turbine has a footprint of 13SF. Member Kasper inquired on the color of the WECS. Mr. Fox stated that the turbines are painted a non-reflective white and the towers are galvanized steel. Chairman Tucker inquired on whether there is a way to protect the flickering onto the neighbor's property. Mr. Fox stated that it would be like a telephone pole and would only cast a shadow so far. The shadow would not reach the house that is 800' away. Chairman Tucker stated that the dwellings to the east could be affected by the shadow on certain days and requested if there is any information available on the potential shadowing. Mr. Fox stated that they do have information from the manufacturer on shadowing that can be submitted to the Board. Member Estes also requested information on impact to real estate and light requirements.

Mr. Molnar stated that that our code contains language that the WECS must comply with any FAA regulations. Member Estes stated that she is less likely to approve the application if a light is required for the WECS.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to continue the public hearing on *Tuesday, June 16, 2015 at 7:50 p.m.*, provided that requested materials have been submitted five days prior to the scheduled meeting. The Board having been polled resulted in the unanimous affirmation of said motion.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[Yes]

Continued Review –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. The applicant has requested that a SEQR be completed on the proposal. At this time Counsel Molnar recommended to the Board that the application be an Unlisted Action and reviewed the short form SEQR with the Board. In evaluating each of the criteria set forth in Part II:

Part II	No or small impact	Moderate to Large impact
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	Small	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a CEA?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing public/private water supplies and/or public/private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archeological, architectural or aesthetic resources?	Small	
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 Member Southern and seconded by Member Kasper, the Board declared this application to be an Unlisted Action, 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.

RECORD OF VOTE

Chair	Mark J. Tucker	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Elizabeth Estes	Present	[Yes]

Public Hearing –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

No one wished to have the public notice read. The Onondaga County Planning Board commented in their resolution dated May 6, 2015 that approvals need to be obtained from the OCDOH and City of Syracuse Department of Water. The OCDOH provided conceptual approval of the project on April 14, 2015. The City of Syracuse Department of Water had no comments in their correspondence dated April 28, 2015.

A revised site plan dated April 14, 2015 and narrative with construction sequence dated May 6, 2015 was submitted reflecting the existing and proposed contours of the area of the proposed relocation of the structures. Erosion control plans and the proposed shed plans were also submitted. Mr. Camp inquired if footer drains will be incorporated into the design. Mr. Lee stated that the architect advised that to would not be required for the slab on grade construction.

Mr. Camp commented that the lakeside of the structure will not have any proposed grade changes. Mr. Brodsky inquired on the use of the structure. Mr. Coffin commented that it will be used seasonally for a respite from the waterfront that is accessed by stairs. It will also provide bathroom access and provides an accessory use to the lake due to the bank. The existing seasonal structure has a bathroom.

Member Kasper inquired on the water source for the structure. Mr. Lee stated that it is coming down from the dwelling above. Member Winkelman stated that this property was part of a lot merger and the applicant has cleaned up the area of un-necessary structures.

WHEREFORE, a motion was made by Chairman Tucker 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 Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker 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 Southern and seconded by Member Winkelman 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 Scott Winkelman and seconded by Member Elizabeth Estes, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor site plan approval, 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 dated April 14, 2015 prepared by LDA Architects & Interiors, and Narrative with construction sequence dated May 6, 2015, be followed in all respects; and
3. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$500; and
4. 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	Mark J. Tucker	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Elizabeth Estes	Present	[Yes]

Public Hearing –Special Permit/Site Plan Review

Applicant

Lorraine Austin
4247 Jordan Rd
Skaneateles, NY

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

Present: Robert Eggleston, Architect

No one wished to have the public notice read. Dan Abbott from the OCDOH has reviewed the proposal, has visited the site, and stated that he has no concerns with the existing system. He will be forwarding his comments on the system.

There is a bank that has some slope to it and the soils from the excavation for the basement will be used to help transition the sloped area near the proposed walk out basement. The application is for a special permit for the accessory apartment and to modify the site plan for the art studio. Chairman Tucker inquired if there will be sufficient fill that will be utilized from the excavation. Mr. Eggleston stated that they will not need to bring in any additional material.

WHEREAS, Member Southern made a motion that was seconded by Member Kasper, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes an Unlisted action, with a negative declaration.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker 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 Southern and seconded by Member Kasper 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 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 approval, 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 1-3 of 3 dated March 11, 2015, and Narrative with construction sequence dated March 30, 2015, prepared by Robert O. Eggleston, Licensed Architect, be followed in all respects; and
3. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$250; and

4. That the stabilization of the bank be inspected by Town Engineer John Camp upon completions of the project; and
5. 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	Mark J. Tucker	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Elizabeth Estes	Present	[Yes]

Public Hearing –Special Permit/Site Plan Review

Applicant

John & Catherine Kane	Property:
137 Park Way	2524 Lakefront Lane
Camillus, NY	Skaneateles, NY 13152
	Tax Map #054.-03-06.1

Present: Robert Eggleston, Architect

No one wished to have the public notice read. The City of Syracuse Department of Water had no comments in their correspondence dated February 5, 2015. The OCDOH granted conceptual approval for the proposal on December 9, 2014. The Zoning Board of Appeals granted the variance for a lake yard setback on April 7, 2015,

The site plan dated March 19, 2015 reflects a silt fence below the construction area with the swale regarded on the lakeside. The applicant is requesting a special permit to convert a seasonal residence to a year round residence. Mr. Camp requested that the cut off swale be added to the site plan.

Member Kasper inquired if the existing dwelling has a spiral staircase. Mr. Eggleston stated that the existing spiral staircase will be replaced with a safer conventional stairs. He continued stated that the shed has been removed from the property and part of the basement that is not habitable will be used for storage of lawn equipment with access to the outside. Member Estes commented that the impermeable surface coverage has not changed from the existing 12.3%. Mr. Eggleston stated that the property was granted 12.3% in 2002. Of note is that there is a shared driveway on the property and the impermeable surface coverage without the shared driveway would be 9.5%.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Winkelman 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 Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. Carrie Conroy, stated that she and her husband had requested from Mr. Eggleston a grading and planting plan for the south side of

the parcel, as there is a path to the lake and was wondering if there will be a future walkway. She stated that they are also concerned with the proposed deck going the length of the property and that it will be overlooking their deck on the shared lakefront to the south of the property. She continued stating that the camp is being doubled in footprint to the north and south. She and her husband are not opposed to the addition or what the Kanes are doing, but have concern on its proximity to the south property line and the side of the addition. The view of the lake is being impacted from their deck, as they are located east of the property. Member Kasper inquired where their property is located. Ms. Conroy stated that they live west of the property but are part of the shared lakefront located directly to the south that is owned by five families.

Ms. Conroy stated that she feels that the addition is un-comfortably close to the area where they walk down to the lake across the open land shared lakefront. If there were ever to be a dwelling on it someday, it would be extremely close.

Joyce Levitre, stated that her view will be blocked by the addition as she has the property behind this property. She also inquired about the stormwater plan. Member Estes inquired on the proposed side yard setback for the addition. Mr. Eggleston stated that the proposed setback is 19.5', which exceeds the 18.1' required side yard setback. He continued stating that if the shared lakefront where developed the dwelling would be allowed a 20' side yard setback.

Ms. Conroy stated that on the northern side yard setback is very close to the property line although their concern is the south side yard setback. Mr. Eggleston stated that the north side yard setback is 12.9' in one area that is a pre-existing setback. Ms. Conroy stated that she does not want to lose the view and the prime concerns are the proximity of the addition and the deck to the shared lakefront.

Member Estes inquired what the contours are of the various properties. Mr. Eggleston stated that he does not have the elevations of the properties. Ms. Conroy stated that they have not seen the drainage plans for the proposal. Member Estes stated that her concern is any potential drainage onto the shared lakefront property. Mr. Eggleston stated that the drainage will stay on the Kane property. Mr. Camp stated that the drainage swale that has been requested for the applicant to extend will terminate on the downhill side where it terminates for the existing property, it will be reconfigured to go around the addition. Mr. Eggleston stated that it will be more L shaped rather than crescent shape. He continued stating that there will be no change to the existing grade, the swale will be modified and there is a retaining wall that will end underneath the deck.

Mr. Eggleston stated that the shared lakefront recreation users have enjoyed over a 50' side yard setback and the proposed addition will reduce it to 19.5', still conforming within the code. If the shared lakefront recreation owners come in for a project, they will be treated as a nonconforming use until they get a special permit for the shared lakefront recreation.

Member Estes stated that it would be beneficial to see where the path to the lake will be and the planting plans. Mr. Eggleston stated that there will not be a walking path. Ms. Conroy stated that they are friends of the Kanes and are not trying to prohibit them having their addition, they would like to see what is not in the plans. Member Winkelman stated that the drainage swale will have to be grassed. Letters were received from the neighbors, with one neighbor is support of the proposal.

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

Chairman Tucker inquired on the drainage plans for the project. Mr. Eggleston stated that the existing swale will be extended around the addition, with any stormwater will stay on the property. Mr. Camp stated that the existing swale handles the stormwater now and the modification will continue to provide management of the stormwater. Member Estes stated that the drainage plans should be shown on a drawing. Mr. Camp stated that he had requested that information to be placed on the drawing. Member Kasper inquired if there needs to be a planting plan. Mr. Camp stated that the existing grass line swale was functioning well and did not feel that it would need anything different than turf grass. Member Estes stated that she would like to see the drainage plans on the site plan. Mr. Camp stated that it would be a dotted line on the site plan, and he could look at the plan and the implementation of the installation.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Chairman Mark Tucker and seconded by Member 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 approval, 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 1-3 of 3 dated March 19, 2015, and Narrative with construction sequence dated March 19, 2015, prepared by Robert O. Eggleston, Licensed Architect, be revised to reflect the proposed swale location at the south west corner of the proposed addition and to be approved by Town Engineer John Camp; and
3. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$750; and
4. That the installed drainage swale be inspected by Town Engineer John Camp upon completion of the project; and
5. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance, be fulfilled. And
6. 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	Mark J. Tucker	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Elizabeth Estes	Present	[No]

Public Hearing –Special Permit/Site Plan Review

Applicant	J&A Properties	Property:
	John Pennisi	1250 Minnow Cove
	4435 Dolomite Drive	Skaneateles, NY 13152
	Syracuse, NY	Tax Map #054.-01-14.0

Present: Robert Eggleston, Architect

No one wished to have the public notice read. The City of Syracuse Department of Water commented that the proposed driveway encroaches on the existing leach field and that the septic field should be isolated during construction in their correspondence dated February 5, 2015. The application is still pending with the Zoning Board of Appeals for an area variances.

A revised site plan dated April 2, 2015 was submitted reflecting the proposed dwelling located in the approximate area of the existing dwelling and maintaining the watercourse setback of 55'. There is a small addition that comes off the back of the main dwelling that will be 20' from the leach field area. The Zoning Board of Appeals had conducted a second site visit and requested that the OCDOH comment on the continued use of the existing leach field that was installed about ten years ago. Dan Abbot had inspected the system and had found no issues with the experimental system and will be sending a letter regarding the system. The system is being used on the Reifenstein and Groves properties, and the Groves use the system on a year-round basis.

Mr. Camp inquired if the existing house was on piers. Mr. Eggleston stated that the existing house is on piers and the proposed dwelling will be constructed with a crawl space. Member Winkelman inquired on the difference. Mr. Eggleston stated that a structure built on piers is open below and not energy efficient for a year-round residence; the crawl space is enclosed with breakout panels for floods. The first floor will be raised and the existing cottage is very close to slightly above the flood levels whereas the flood standard today is two feet above the flood plain and no mechanicals are allowed to be in the crawl space.

WHEREFORE, a motion was made by Chairman Tucker 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 Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker 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 Chairman Tucker and seconded by Member Southern to continue the public hearing on *Tuesday, June 16, 2015 at 7:50 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan –Site Plan Review

Applic	Robert Curt Coville	Property:
	36 Onondaga Street	4012 State Street Road
	Skaneateles, NY	Skaneateles, NY 13152
		Tax Map #029.-03-07.2

Present: Robert Eggleston, Architect

The applicant is under contract for lot two of the evergreen subdivision on State Route 321. The proposal is for a two bedroom single family dwelling with a 240SF deck. The grading plan reflects that the driveway will cross the watercourse over an 18" culvert, and a straw and fabric line swale will be located to the south of the dwelling and parking area. All construction is located outside of the wetlands area.

Chairman Tucker commented that it is a special permit if it is a barn. Mr. Eggleston stated that it will be a house. Mr. Camp suggested that it looks like there is enough elevation difference between the culvert and the top of pavement that the pavement could be dropped a half a foot so there is a low point over the culvert to divert any water if it overflows. Chairman Tucker inquired if the area could be lowered as there is a proposed 18" culvert and the streambed is not that deep.. Mr. Eggleston stated that there is 18" of cover in the area and that it could be lowered 6". Mr. Eggleston stated that the elevation is at 986' with the drive at 988', by the time you reach the culvert it is 985' where we would be passing underneath, that would leave three feet, so a foot would be adequate.

Chairman Tucker inquired on where to dwelling is being proposed on the property, and what brush is being removed. Mr. Eggleston stated that the applicant would like to not remove much in the front of the property, as he would like to be placed subtly on the property located in part of the field area. Member Winkelman inquired on the type of leach field proposed. Mr. Eggleston stated that it would be a raised bed system and they are in the process of obtaining percolation tests now, the location will be in the general area of the proposed Gazella septic field. Chairman Tucker commented that it is located a distance from the proposed dwelling. Mr. Eggleston stated that there are leaving space for a potential larger dwelling further behind the proposed dwelling. The elevation for the septic field is a little higher than the proposed dwelling.

Member Kasper commented that there was a discussion regarding a sidewalk easement for the property directly to the south, and that maybe this property should have a sidewalk easement. Mr. Eggleston stated that the applicant is amenable to the sidewalk easement located 15' from the ROW with the sidewalk four feet in width.

Member Southern inquired if there was any concern with the driveway off State Street. Mr. Eggleston stated that it had already obtained conceptual approval from the NYSDOT. Member Estes stated that the Board lost that battle with another road cut on Route 321. Mr. Brodsky stated that the Board did explore alternative locations for the driveway location at the time of the subdivision application; however, the gas line location, stream and wetlands did inhibit where a driveway could be located. He continued stating the approved driveway location became a solution due to the existing impediments. The application will be continued at the next meeting pending SOCPA response.

Decision –Special Permit/Site Plan Review

Applicant	Gazella Dance & Fitness Studios	Property:
	Tiffany Mayer	State Street Road
	2680 Shamrock Rd	Skaneateles, NY 13152
	Skaneateles, NY	Tax Map #unassigned

Present: Robert Eggleston, Architect

The applicant has requested that the application continue to the next meeting in June.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to continue the application on ***Tuesday, June 16, 2015 at 8:00 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Continue Review – Hidden Estates 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; Rudy Zona, Engineer; Robert Eggleston, Architect;

Mr. Eggleston: An updated conservation analysis dated April 29, 2015 was submitted to the board. Rudy Zona has done engineering on the grading; C1 through C3, and we will allow Rudy to explain the drainage concepts and I believe John Camp has had a chance to review that.

Mr. Zona: I think at the last meeting we had discussed that the road had to be at 12% maximum. We had designed it at 12% all the way up. The road starts grading right down at the little parking area adjacent to the existing stormwater management facility and takes a 12% grade all the way up. There is some cut at the top by the bend, the east end of Weaver's property. The road in the middle is generally preserved, the grades that are in there are pretty close to 12% so we left that. There will be one new culvert that will go in by this driveway, culvert relocation at the top. Overall the impact to the existing road - - The existing stormwater management facility is here; we are starting about here and raising the road grade at 12% all the way up. There is some road grading that will go on in here and we will have to knock down the knob that is currently there to get to - in other words this is going to increase in grade and this going to remain the same through here pretty closely. As you can tell by this profile, there is a little fill area here, which is down in here so this area in here is all filled. This remains pretty close to what it is now as you can tell through here. At the top, the dash line is the existing grade and the solid line is the proposed grade. The proposed grade in through here is going to be cut through up in here which in turn will have us have to cut some of this existing fill back to accommodate the drainage swale on the side. The drainage in this existing basin that was designed for this entire roadway probably to up in here. The existing road ends here and we are just adding a piece of road. All of this new roadway will drain like the existing roadway and the grade will mimic the existing grade with not a lot of cut and fill in this new section, it is pretty flat.

This existing stormwater management facility is big enough to handle that new section of road. The only modification that has to happen is the outflow structure. The concrete catch basin has a certain configuration to it with a cut in it, we will have to modify that to allow the additional water to come down and still be controlled. That is basically it for the road. We have to choose to keep the same path since it has already been constructed and want to try to minimize the impact to the existing landscape and what has already been done.

Mbr. Estes: How far back in that one area are you going to have to cut back?

Mr. Zona: That road is about 13 feet wide so you maybe have to go 30 feet.

Mbr. Kasper: The lower area where you are raising the grade, how are you going to capture the water on the south side.

Mr. Zona: It is all pitched, the road is going to be pitched to one side and everything down to here will be, which it is now, all pitched to the north side so it all drains to the drainage channel that goes all the way down and contributes to this basin. There is also anything that gets off on the slope on the side here ends up in the existing culvert there, it is only 8 inches but we are increasing the size of that to 18 inches at the request of your engineer.

Mbr. Kasper: So that is going to capture the water.

Mr. Camp: Because they are raising the road 8 or 9 feet where the Goldmann's drive come in - -

Mr. Zona: 6 and a half or 7.

Mr. Camp: That have to raise the Goldmann driveway up and that is going to trap water there and that culvert is going to direct it into - -

Mr. Zona: The stormwater management system. Correct.

Mr. Eggleston: The Goldmanns put a swale along the property line when they first started that project so that catches any water that is coming down the hill.

Mr. Zona: They have a mound type septic system, everything on the east side of that because it comes down from the hill and gets caught between the mound and the toe of the slope and it is directed by the swale this way and ends up in the culvert. The existing one will be enhanced as part of this project.

Mbr. Estes: John, you have looked at that existing stormwater system that is going to be large enough to accept this additional roadway all the way to the top?

Mr. Camp: They are going to reconfigure the outlet structure and because of the way the thing had to be built on the hill, it's got enough volume to address the change.

Mbr. Estes: I know last year when we kept going out there, is it actually all working now? We went out there a number of times and it wasn't - -

Mr. Camp: There is a lot of ruts in the road and the water isn't all getting into the basin. Part of the plan is that they are going to pave the road which will presumably eliminate - -

Chm. Tucker: I was out there today and looked at it - -

Mr. Zona: The other enhancement that isn't done that was not part of the original was parts of this drainage channel here, when we originally designed it, it's designed to only have grass in it but it has been lined with rock, rip rap to slow down the velocity even further than what we had originally designed.

Chm. Tucker: Right now, both sides of the road down to the lower part here are all washed out. All this through here - -

Mr. Camp: On the road itself?

Chm. Tucker: Yes, along the outside edge. The road does not look too bad but on the sides, I have a concern because now it is running over the bank. Only part of it is going to the south culvert.

Mbr. Estes: That's the problem we had before.

Chm. Tucker: That little swale by the side of the road isn't worth anything, it is just a little dip and can't handle the flows.

Mr. Camp: What part are you talking about now.

Mr. Zona: He talking about coming out of this culvert - -

Chm. Tucker: The problem is - -

Mr. Zona: There is a channel that comes right out here and - -

Chm. Tucker: There's some that goes this way, and some this way, and a lot of it over.

Mr. Zona: I think last fall - -

Mr. Camp: On the channel that is downstream of the culvert that comes in the - -

Mr. Zona: It's right here, at East Lake Road - -

Mr. Camp: That's seeing a tremendous amount of runoff that is not intended to go there because the road is channeling all the water down the surface. Once the road sheds, water where it is supposed to, the amount of water that gets to the bottom of the hill will be dramatically reduced.

Mbr. Southern: Should that water be handled during the construction period? I mean, right now we are pumping garbage down there to the lake.

Mr. Camp: It doesn't work right now.

Mbr. Southern: Shouldn't something be done with that?

Mr. Zona: Joe, I think to address your question, a lot of this when it was originally graded was working and after the winter, it needs to be touched up.

Mbr. Southern: Well then let's get in there and touch it up. Let's get the mud out of the lake. I'm sorry it's not permitted.

Mbr. Estes: I think we started this with the very first lot we looked at up there saying we weren't going to look at any more lots or do until we got all that drainage fixed. Then we had a temporary sort of agreement with the Nangle lot saying well but they are going to fix it. It looks like we are right back to where we started from again.

Mr. Zona: In addition, didn't you add some fill to this fall, Don?

Mr. Spear: Yes we did, we put in a lot of crusher run. The existing material had a lot of fines and then rounds - -

Mr. Zona: I also think we have had a lot of run off coming from this adjacent property that bypasses this channel and ends up coming down through here where it is not supposed to go from the adjacent property.

Mr. Spear: I spoke to Weaver today and he has a little bit of a wash out on the south edge he is well aware of. He is pretty much moved in there and he has a contractor coming out tomorrow to work that.

Chm. Tucker: That basin has some type of cloth on the end of that basin on the bottom where it comes off the hill here. This is all cleaned right down to the landscape fabric will all of the gravel gone.

Mr. Camp: I haven't been out to the site - -

Chm. Tucker: I'm just saying after last night I rode my bike this morning and everything up on Rose Hill is washed out so I 'd thought I'd look at it.

Mr. Zona: We had a few in Syracuse too. It's going to happen. The road is going to require some maintenance. This winter was not kind to anybody's driveways or anything.

Mbr. Winkelman: We had 1.3 inches of rain here in Skaneateles, how does that equate to a 100-year storm.

Mr. Zona: It's a two year, actually a little less. 1.7-year storm.

Mbr. Winkelman: This is designed for the basin and all.

Mr. Zona: The basin is designed to handle the 100-year event, control it. Well, it would knock it down to pre-levels.

Mr. Camp: About two inches in 24 hours is a one-year storm. Two inches in six or eight hours is quite a bit different. It is difficult to assign a return period to storms because when we talk about these storms they are perfectly designed storms that start slow, heavy, and then finish in 24 hours.

Chm. Tucker: The basin didn't overflow last night but it was up pretty high on that concrete structure. You could see the waterline.

Mr. Camp: I think Rudy, correct me if I am wrong, but the 100-foot elevation would be over the top of the structure.

Mr. Zona: Yes, but still less than the break in basin that would overflow into the road.

Mbr. Winkelman: So pretty much this is a retention basin, right?

Mr. Zona: its infiltration, it's got gravel and a stone trench on the bottom. It will infiltrate part of the storm.

Mbr. Winkelman: Where's the outlet for that.

Mr. Zona: The outlet for that is right there. There is a catch basin there. If you are standing in front of the basin, you can look at the face of the catch basin. You can see a hole in the side and anything below the hole will infiltrate into the ground, anything that gets to the hole will flow out the hole and flow through this pipe and then come down the swale along the driveway take a turn and then hit East Lake Road. Well it's supposed to take a turn around the septic system that is in here, come over and hit the swale along the DOT's ROW and - -

Chm. Tucker: That swale needs some work. The swale comes around here and then just goes off. It's washed out.

Mr. Zona: There's a newly installed check dam in the swale, in the DOT swale we put in last fall at the request of the DOT. When it does come down from the side and operates properly around this corner and ends up in this channel along the road, it can't go back towards the culvert underneath next to the pink house. Its forces to be directed to the southern culvert. That's also new.

Chm. Tucker It's washed out the side of that now, so it goes over before that.

Mr. Camp: Did we establish a drainage district for this subdivision?

Chm. Tucker: I don't think we did.

Mr. Molnar: It was started with a prior application and it was withdrawn with the prior subdivision.

Mr. Eggleston: I know it had been created at one point.

Mr. Brodsky: Mark, you are saying the work along the 41 ROW has basically failed?

Chm. Tucker: I didn't say it failed. The engineer did.

Mr. Spear: I saw it today and it seemed to me to be intact. I wasn't there last night, it might have topped.

Mr. Zona: You're talking outside of the ROW. You're talking this corner here, right Mark? You're not talking in the right of way you're talking when it exists this pipe, comes down along the drive then it hits this corner, that's what you are talking about.

Chm. Tucker: Yes, the corner.

Mr. Zona: That's outside the ROW.

Chm. Tucker: That's on Goldmanns.

Mr. Zona: It's in the septic easement with this. On Goldmann's property and then outside the State's ROW.

Mr. Spear: The Goldmann swale has a 90-degree turn in it and is just not deep enough.

Chm. Tucker: That's what I have said is that it is not deep enough to handle it.

Mr. Spear: I think it would be redone deeper and heavy rocks on the outside wall of it. We could make it a gentler turn

Chm. Tucker: It made the turn fine, it just after that it

Mr. Spear: Mark, you didn't mean the weir washed out?

Chm. Tucker: The weir is still there, it looks like it is going around the edge of it because it got so high.

Mr. Spear: It might have done that, it might have overtopped it.

Mbr. Southern: This is May 16th last year (showing drainage pictures from May 2014).

Mr. Zona: This was before all that work was done.

Mr. Camp It needs to be cleaned out.

Mbr. Southern: Mark is saying it is doing the same thing after all the work has been done.

Chm. Tucker: It's not deep enough along that corner

Mr. Zona: That's pretty shallow, that is not more than a foot deep Mark.

Chm. Tucker Where it runs over there's a big size over top with a big hole in it. Just my thought on drainage.

Mr. Zona: On the other side this is a small berm, you know what Don, you probably don't have to do much other than fill this so that there is a better separation or elevation from the bottom of this channel and where it can overtop.

Mr. Spear: The west wall, I agree with that.

Mr. Zona: There is a check dam in here that was constructed that functions correctly, at least it did last fall.

Chm. Tucker: It still functions most of the time.

Mr. Zona: It just this corner right there - -

Mr. spear: That corner is overflowing.

Mr. Zona: If we strengthen that up a little - -

Mr. Spear: If you built that and rocked it. We can do that.

Mr. Camp: There is going to be a tendency for items to settle out of the water and channel after it makes the 90-degree turn because it gets flatter in there. It's likely there are deposits there

Chm. Tucker: It's going to fill up over time, that's why it needs to go deeper.

Mr. Zona: You've got elevation here and especially by this picture, there is plenty of elevation to cut that in there if you want. Make it deeper.

Mr. Spear: I agree with Mark on that, I think we can certainly do it.

Mr. Zona: There is still with water coming in the DOT ROW and I think you had discussions with Larry on that. Coming from the north that comes from the adjacent property, that's run off from the adjacent property.

Mr. Spear: Yes it is, It wouldn't take much to take a six or eight inch channel to take it down to the big creek. It crowns about 100 feet - -

Mr. Zona: But that's not our property, unfortunately.

Mr. Spear: It would take much of a swale to carry that off - -

Mr. Zona: Or even drop a little structure in there, but then again nobody wants water to go through that other culvert.

Mr. Spear: That's where most of the water is coming going to down here. See that's flooding off - -

Mr. Zona: Everything that is coming from up in here, comes off of this area here that was cleared on the adjacent property and goes right by this berm on the other side of this basin. It bypasses it and ends up coming down this way right next to the north side of the basin right along the berm we built, comes up and then discharges right there which ends up in that culvert right there.

Mbr. Southern: It's still no better than it was a year ago.

Mr. Zona: It's not going to be until you clean up what is coming from the north.

Chm. Tucker There is some coming down the road along the side. You look out there you will see it on each side.

Mr. Zona: Actually, there is a huge watershed. There are two swales, one of them come down right along this property line and enters the basin; there's another bunch that comes off this hill all the way up in here. This whole watershed comes down and runs right down this part and goes right through here. This whole watershed up the hill onto our property at the top comes down this way and flows through here. You are getting a ton of water that comes down through here and washes all this out right across the driveway entrance. In the wintertime will not be a pretty sight for anyone.

Mr. Kasper: What you are saying is that the water is coming up from the fields at the top, which is your property, so you are going to have to start controlling up at top.

Mr. Winkelman: I thought you put a little extra something - -

Mr. Eggleston: We did. It picked up some of that.

Mr. Zona: There is still a huge amount of area without moving the entire mountain.

Mr. Eggleston: The problem is the property to the north has done things that have not required review and they haven't controlled their existing water. The water from our property is on the undeveloped portion of the property. It has always been there and the neighbor to the north has done things without requiring any engineering or solutions to the effects he has from changing them.

Mr. Southern: How are the houses and groomed lawns up on top of the hill going to exacerbate this area.

Mr. Zona: They are not going to. Anything we do up here, same as Weaver or Nangle, we are going to have to manage our own stormwater on our own property.

Mr. Molnar: So will it make a turn? If this is above that property it seems like it flows right here.

Mr. Zona: All this comes down this way and comes through this.

Mr. Molnar: So it will have to be captured and moved?

Mr. Zona: No, Each one of these lots is going to have its own system just as these two lots have now.

Mr. Eggleston: It would not release it any faster than the existing conditions. See he is responsible for the water that crosses his property. He has developed his property but he hasn't done anything about what he has done to change the water. He didn't have to come in for anything because he slipped through the cracks. The water that is here has the God-given right to pass across here and nothing has changed to date on that. When we put these houses in, nothing will change after the houses go in because each one will be designed to contain and slow its own stuff.

Mr. Southern: There's still going to be the existing problem with that water on the north side.

Mr. Eggleston: Correct, Larry Hazard is saying they should do this and they should do that. Who is going to tell them when they need to do that.

Mr. Spear: Larry told me that he would talk to them and I haven't been able to get Larry on the phone for three months.

Mr. Eggleston: We cannot be responsible for the flooding on Rose Hill either.

Mr. Zona: All these trees in here are all gone.

Mr. Eggleston: It has drastically been all changed.

Mbr. Southern: With the water going on to the Lake Road, I would think they would be very upset with that. If you go 55mph traffic all through there and hit that puddle of water, there is spin out.

Mr. Spear: There is a second puddle right at Pajak's driveway. There is a huge puddle that's flooding the northbound lane and Larry Hazard is well aware of it. I have plenty of pictures to show him and have talked to him about it for the past three years. The fix is very simple with a little bit of a swale to take it to the north and it goes right to the huge pipe that goes under and down alongside the Weavers property in that creek.

Mr. Zona: The SPEDS permit for the road that was built is still open and we are going to operate under that permit with this to modify the existing basin and build the rest of the road that is what our hope is.

Chm. Tucker: There has been some talk with a few of us on trying to do each site separately; there is also the idea that everything gets controlled by one stormwater quality control.

Mr. Zona: You have two lots here with some precedent with both lots one and two each control their separately on each lot. They have come in for a site plan on each one, you guys have had a crack at each one, looking at how much impervious, what the site looks like and what is the best to control it on each one of the lots. If you look at the water coming off of Weaver's lot, it's clean and then it hits the road right away. I think it is doing its job and working effectively. You have such big lots up there you don't know where the houses are going to go yet, you don't know where they are going to build, I think it is better to do the same thing you did here and you still have control over the rest of these lots.

Mr. Eggleston: Also, the current DEC regulation support localized solutions rather than - -

Mr. Zona: Correct. The green infrastructure and runoff reduction favor localized at the point of impact stormwater management rather than downstream basin. To be honest with you I don't know where you could stick a basin up here. You'd have to get an easement and then the Town, who takes that over? Do you have a homeowner's association? Each one of these lots individually, every homeowner is associated with their own stormwater rather than try to chase them for dues to clean one of the ones that are there.

Mbr. Winkelman: The Weaver and the Nangle properties are substantially larger than the proposed ones. The proposed ones need a leach field, well and a stormwater thing. What are the lots, building envelopes - -

Mr. Eggleston: They range from 2.5 acres to 16 acres.

Mr. Camp: Generally speaking, having individual lots stormwater management practices does seem to go along with some the more modern ways of thinking, but what that does create is a lot of individual pieces of infrastructure that the Town has some interest in making sure that it is maintained. You don't have to do too much math to project that out into the future and even a

modest size subdivision of a 5-6 lot subdivision, the number of stormwater management facilities can get big in a hurry. From a future management prospective, I would tend to suggest that the Town consider thinking along the lines of a single facility for multiple lots with the establishment of drainage districts, In the event that they are not maintained the homeowners association and the Town have a set of funds to have a right to go in to make a change in one spot rather than 9 lots.

Chm. Tucker: I wanted to bring that up so they have that on their plate to think about.

Mr. Zona: I guess I agree with John that for the municipality it is easier to have one facility. In this case, since you have already started it there you have a good place to continue it. With the slopes and things you have one here it is going to be difficult to have a big practice like that on this site.

Mr. Brodsky: Lots one and two were created in a different context as they were created for a minor subdivision.

Mr. Zona: That has nothing to do with stormwater. Stormwater is done by the lay of the land and not how you cut up the lots.

Mr. Brodsky: Part of the acceptability of looking at lots one and two for site plan review for the individualized - -

Mr. Zona: That's true but I think the way I would look at it Howard, stormwater management, you have to look at the land conditions that you have and not what you are trying to cut up the land to look like for houses. For this part, you've got a situation where in order to get everything in to one place, about the only place you are going to get, it is back here. Then you are dealing with some slopes in there that will number one, you will have difficulty with constructability and number two, difficulty with access. I think if you did it on each one it will be a little easier for each homeowner having a little agreement with the Town as part of their school tax, regular tax base or whatever else they are supposed to have to maintain. If they all give a little landscape company to take care of them yearly for everybody in the subdivision and form a little something then - -

Mbr. Kasper: You can't get people to maintain their things. We have all these rain gardens that are gone now.

Mr. Camp: This site, if you do have a single basin then the logical location is the corner on the left. What that does is it creates a concentrated point of discharge for nine lots would be a decent size pipe - -

Mr. Zona: And you still got drainage issues with this homeowner right here you are going to contribute to by making a point source.

Mr. Camp: The advantage of the individual lot approach is that you can avoid that point discharge which is challenging when you don't have a watercourse to drain directly into, which you don't have on this site.

Mr. Brodsky: Is there a potential for a hybrid with individualized treatment that goes so far and then is augmented by something that is shared that would not be a single point?

Mr. Camp: You could but once you start combining more than a few lots into one facility, you are more than likely to end up with a pipe outlet as a discharge point. Especially on a steeper site like this and you don't have a watercourse to directly discharge to, that can be a source of future problems.

Mbr. Kasper: I think what you really need is to identify where all of the water is coming from Pajaks, your property. You can do it with some USG maps. For us to approve something and then have a problem down the road, you're blaming it all on Pajak. If it all comes back to your property then we didn't do our job.

Mr. Zona: We're responsible under state law - -

Mbr. Kasper: I understand that. There is a problem down there and you're saying it's coming from Pajaks, but in my opinion, it's coming from your property. It could be coming from 100 acres behind your lot - -

Mr. Zona: You could say that about the entire Town of Skaneateles if you want.

Mbr. Winkelman: What does the State law say about the - -

Mr. Zona: The state law says that we have to control our own property's stormwater. We are not responsible for what happens to it after it leaves. But if somebody has water that comes from another property onto ours, we can't stop it. It's got to go, and it's as natural as it gets as it goes from ours to Pajaks. There's no farm field, it's not like it is open soil up there, and it's generally wooded. If you put a couple of house up there it still going to be generally vegetative. You're going to have some impervious surfaces, but if you can control it at ten points instead of one then it gets distributed like John said rather than one big pipe that's going to have one big run of water right there.

Mbr. Kasper: There's got to be a watercourse back there somewhere.

Mr. Camp: Well there is.

Mbr. Kasper: I really would like to know where it is coming from - -

Mr. Zona: But it is not on our property.

Mr. Spear: The main watercourse is up here and it comes down along Pajak's property and goes to the creek through the huge pipe under the road. With Goldmann, they put in a swale that delivers it right to this corner and into ours and we put that little peninsula out and catch it and put it into this swale. Pajak, who owns a lot of the hillside, don't forget that's a lot of his hillside, doesn't have a swale but he's got yard there he could very easily put a swale in there if he wanted to cut it off before it gets to any of his buildings. But down on the highway it takes very little for him to put a small swale in to take it to the creek.

Mbr. Kasper: If that flooding continues and we allow development back there, they're going to say that the new construction caused that - -

Mr. Zona: It can't though, we're charged with stormwater management design.

Mbr. Kasper: All I'm saying is that you better come up with proof to show us that the water is coming from other sources than your property.

Mr. Zona: The water does come from our property. We are at the top of the watershed. It starts up in here somewhere and then it goes that way to the lake just like everybody else along the lake gets water from our property.

Mbr. Kasper: This property isn't contributing all of the water to it.

Mr. Zona: A lot

Mbr. Kasper: Then you better do a better job than doing just individuals things.

Chm. Tucker: Some of that is contributing to my property.

Mr. Zona: It's also contributing to mine since I get water from Skaneateles Lake and drink it. You can go back as far as you want - -

Mr. Spear: We were going to blame it on Tucker. That's our fall back.

Mbr. Kasper: Maybe you can, what other farms are up there.

Mr. Zona: We've got watershed maps in there to analyze that have been submitted to John that tell you where it's coming from. We're cutting a lot of it off by picking it up at the road. We're talking about is taking down some meadow and building a house and putting grass in there. So you have to take that and mitigate it. What we are requesting is doing the same thing done on lot one and lot two which is to make each lot have its own system that will do that. It's not going to be a ton of water from every lot but if you added them together and looked at it all together, it would be a lot.

Mbr. Estes: Even the design that was done for lot two now, was that designed for their rain garden size design with the idea that there were going to be houses above them bringing more water on to theirs?

Mr. Zona: I don't think any water from any of the proposed dwellings will go on their lot.

Mbr. Estes: The road continues past them now.

Mr. spear: Just to the corner right there.

Mbr. Winkelman: It come down this way - -

Mr. Zona: this here is the divider for lot two.

Mbr. Estes: Doesn't the road run right up there too?

Mr. Zona: Everything from here down goes this way.

Mbr. Estes: Even with the swale, you said you were going to put up along the road?

Mr. Zona: The swale is going to go on this side of the road so actually lot two is going to drain to the road. Then the road is going to take it down and put it in that basin, that is what we are proposing right now.

Mbr. Winkelman: This is an incredibly challenging piece of property. All of this engineering stuff is all fine and good but it adds up and adds up and adds up. Do we really want this stuff in our watershed. This is just too convoluted. The original subdivision was just for a driveway going up there and like four lots. Now we are expanding the driveway to a road, I just don't think the watershed needs this steep slope developed like this. This is all just too much. To go to all of these steps to try to mitigate all of this stuff for - - No., I don't get a good feeling for this thing.

Mbr. Estes: I'm not sure. I agree with that, the question is it actually mitigating it because we had all this, I mean, we look at all the notes we had last April, which is almost mimicking the discussion we had right now on the same thing. We talked about the mitigation and what was happening then and we are almost verbatim repeating that conversation from a year ago. Same water issues.

Mbr. Winkelman: Because the site is an extreme challenge.

Chm. Tucker: John, your comments on the road.

Mr. Camp: We put together a letter dated March 16, 2015 to the applicant and since the applicant has responded. We took another look at it today and most of their comments had been addresses. There are still a couple more that we will work through as the design moves forward.

Chm. Tucker: I believe what we are going to look at was the conservation analysis, as we had talked about for this meeting. I was concerned that we had just received it.

Mr. Molnar: My apologies. I had taken the revised conservation analysis with the dated maps of April 29, 2015, and I went back to the draft from March, and I have put the two together. Taking the meeting minutes, I also went back to identify this entire conservation subdivision as one for purposes of handling the approvals, the sketch plan, conservation analysis and the required easement which will be necessary to go and preserve the conservation value of high, medium and low. What I did do is circulate a red line version of it. What is new is identified, taking into account John Delaney, as counsel, comments and left them in there because I think that they are appropriate in terms of acreage that was defined. This is known as lot three at present, an 80.91-acre parcel that is being subdivided into nine lots to fill out the twelve lots with twelve driveways permitted to access the conservation density subdivision road. I also modified the findings slightly. If I can take you through the findings.

1. The Planning Board finds that the Conservation Analysis, culminating in Map #8 as submitted by Appel Osborne Landscape Architects, last dated April 29, 2015 ("Map #8"), a color copy of which is attached hereto and incorporated herein, accurately depicts the areas of high, medium and low conservation value attributable to the Premises, taking into consideration steep slopes, open meadows, protected farmland, wildlife habitat, view sheds, and wetland buffers. I eliminated the rest of that sentence because I felt it was redundant.

2. Except as set forth herein, the Planning Board approves Map #8 as the principal Conservation Analysis Map applicable to the Premises, and finds as follows:

- a) All areas shaded in red on Map #8 constitute high-conservation value property, within which no construction of structures shall be permitted without express site plan approval from the Planning Board;
- b) The areas designated in yellow constitute medium-conservation value land within which:
 - (i) All nine proposed building lots shall be placed and sited by the Applicant, as depicted on the Plan, including placement of building envelopes within each lot (“Building Envelopes”) so as to preserve view shed, un-fragmented forest lands, un-fragmented meadows, and medium - grade slopes; and
 - (ii) The Conservation Road corridor as depicted on Map #8 shall constitute medium-conservation value property, which shall be allowed, as adjusted, so that same ascends at a 12% grade in conformance with Code requirements, and shifts same slightly up the side slope contiguous with high-conservation value areas, provided the Applicant minimally disturbs said high-conservation areas when adjusting the road to meet Code requirements.
- c) The areas depicted on Map #8 in green shall constitute low-conservation value areas, within which one or more homes may be sited by the applicant. At that point, I suggested, within two-acre building envelopes and define those as building envelopes. That was my suggestion looking at both the conservation analysis provided the preliminary site plan/sketch plan that has been reviewed periodically to identify the placing of nine home sites on this map and I think you are going to in the areas that are designated. You want to do that in a controlled environment with controlled building envelopes so you preserve the high, medium and low conservation value of the surrounding areas.

Mr. Brodsky: Building lot or building envelope.

Mr. Molnar: Building envelope, the lots are bigger and range from two acres to sixteen or bigger. You are going to designate building envelopes.

Mr. Brodsky: I just want to be clear on that as those are large building envelopes.

Mr. Molnar: That is a suggestion and up to the Board to deliberate on. I suggested a two-acre building envelope for the designation. That will in my mind offer some preservation comfort to the Board when determining the conservation analysis that seeks to preserve conservation values, you can do so by limiting the home sites and constructed areas, building envelopes to two acres. If the Board feels it should be something different then we can run through that. Then I went down below and based upon the building envelopes being the principal area within which the applicant proposes and the Board seeks to protect, where things will be constructed and structures placed. I provided conditions and restrictions by amending and presenting:

1) Building Envelopes shall be designated on each of the nine building lots, configured so that each Building Envelope is no greater than as set forth on the Plan, within which the principal residences and all structures shall be built, except that driveways, landscaping and/or sidewalks shall be permitted between the Building Envelopes and the Conservation Density Subdivision Private Road, and then define that as the conservation density subdivision road, and no Building Envelope shall be placed in areas of high conservation value as set forth on Map #8.

2) No structure shall be permitted for construction within the high, medium, or low Conservation value areas without express site plan approval from the Planning Board, except for placement of structures to permit, assist and enhance recreational activities thereon. That is a suggestion I am making to enhance and utilize the balance of the property. It has a value, a high conservation value or medium or low, and recreational activities are encouraged by the very code section we are operating under. Except that, the Applicant may exercise management and control of forested areas to enhance the health of same by removing and/or replacing diseased vegetation.

Mbr. Kasper: Can I jump in here. In that last paragraph, if this moves forward does that mean that if somebody build a house with all of the approvals, do they have to come back to just put in a shed?

Mr. Molnar: Yes, if it is outside the building envelope, you would retain control over it

Mbr. Kasper: I think you can put a shed in outside of the building envelope.

Mr. Molnar: This says no structure unless you would like to make it different. If you would like to permit sheds and other things, this is an opportunity.

Mbr. Kasper: I am concerned that it may be too restrictive for shed and stuff like that.

Chm. Tucker: Depends on the size of the shed.

Mbr. Estes: It goes the other way, it says except for structures for recreation and you get somebody that builds a 24x32 deck and say it's for recreation. Is that a structure for recreation. Now they have a humongous deck out there for their recreation.

Mbr. Kasper: We just have to fine-tune it and consider square footage.

Mbr. Estes: I think we do as this will allow about anything to go out there now except for a house.

Mr. Eggleston: What they're saying is that they are requiring you to come back so you get a stab at it.

Chm. Tucker: That's the way it is on the conservation that I have on my place. We can do it but we have to get permission., even for a shed. We're talking two-acre building envelopes right now.

Mr. Molnar: If no structure may be permitted outside of the building envelope, everything has to come back and the Board can determine if it is recreational and is permitted or a pole barn and is not permitted and beyond the scope. I should strike the section except for the placement of structures to permit, assist or enhance recreational activities.

Mbr. Estes: Even that, I am wondering if there shouldn't be a size if it is going into a high conservation value

Mr. Molnar: This gives it a pass without Planning Board approval they can do by pulling a permit. Unless I strike that and there is no pass and everything has to come back for site plan approval.

Mbr. Winkelman: I like that.

Mbr. Estes: Everything.

Mbr. Southern: Yes, it is a conservation subdivision, why shouldn't we. This would keep track of it, otherwise this runs amuck. I know it's going to be a pain but they will have to put up with it.

Mr. Molnar: The next sections: 3) The areas of high-conservation value steep slope near the Conservation Road may be mowed twice a year and not permitted to grow vegetation not exceeding four feet in height so as to preserve view sheds to and from the Premises, and the appearance of unfragmented meadow lands. Is that an acceptable restriction.

Mr. Eggleston: I think the four feet is contradictory to some of the comments made about that lower right - -

Mr. Spear: If we are going to plant on the west side of the road, you would want that to be higher to hide the road entirely. You wouldn't want to restrict that.

Mr. Eggleston: I don't think four feet is the answer.

Mr. Molnar: Four feet being the height not exceeding four feet.

Mr. Eggleston: You're saying that we have to keep it no higher than four feet.

Mr. Molnar: The areas of high conservation value steep slope near the conservation road, that's essentially down here.

Mr. Camp: Why do we want them to mow it at all?

Mbr. Winkelman: I think you were basically talking about the shoulder.

Mr. Eggleston: We were thinking based on your comments, that we would get, not Norway Spruce, we would get some 20' vegetation that would screen that road.

Mr. Spear: 8' or 10' vegetation to screen that road.

Mr. Eggleston: But we are not going to do 60'.

Mr. Spear: 4' might screen the road, I don't know.

Mr. Camp: More than likely, you're just going to want to leave it alone and let it grow. Does the Board have an objection to that?

Mr. Spear: It says may mow, so I don't know why the Board wants it mowed at all except for the Nangles.

Mbr. Kasper: The Nangles may want it.

Mr. Eggleston: Obviously, this area we would be more concerned about maintaining the height limitation.

Mbr. Kasper: It's more the ridge up there.

Mr. Eggleston: I think we would encourage higher growth to screen the road.

Mr. Molnar: So you are looking at mowing the east - - not mowing at all.

Mr. Spear: I don't think so, it is pretty steep and dangerous mowing. You let it get brushy, right?

Mr. Camp: What I am hearing is a challenge to preserve the views and screening the road. There seems to be two goals.

Mr. Brodsky: Can there be a specification for growth on the east side versus the west side of the road? The west side has taller vegetation, and the east side has a lower shrub. You know, that's not an area to be mowed, it is too steep.

Mr. Eggleston: I think that may be an areas that can be maintained to restrict vegetation from blocking - -

Mr. Spear: We didn't get much of a chance to look at this Scott and maybe we can put some time into it.

Mr. Molnar: This one hasn't changed at all. I'm thinking the areas of high conservation value steep slope east of the conservation road may be mowed - -

Mbr. Estes: So east of the road is where you want low vegetation and high vegetation to the west of the road.

Mr. Spear: You've actually already have some high vegetation along the - -

Chm. Tucker: You do the east side - -

Mbr. Estes: You have high vegetation and high vegetation, where?

Mr. Spear: I say there is already some high vegetation along Goldmann's eastern edge. We would like to enhance that actually.

Mbr. Estes: Yes, if you have high vegetation there already you still have quite a view of that road from across the lake., you have the whole view.

Mr. Eggleston: You see the high vegetation is on Goldmanns and this has yet to be vegetated and get up to height. And that's what we want to do, allow high vegetation there to help screen the road from

the other side of the lake. But here is where the 4' vegetation or whatever is obviously the further up the slope we want to have it maintained - -

Chm. Tucker: Isn't there high stuff above there anyway.

Mr. Eggleston: There is some vegetation - -

Ohm. Tucker: When you look up you don't see anything up - -

Mr. Molnar: How about this for a solution. So it reads, the areas of high conservation value steep slope east of the conservation road shall not be permitted to grow vegetation exceeding 8' in height so as to preserve the view sheds to and from the Premises and the appearance of unfragmented meadowlands. There's no mowing, no 4' , it can go up to 8' but it won't go higher. How are you going to top it at 8'?

Mr. Spear: You can select certain shrubs that don't grow any higher than that. Honeysuckle probably gets higher than 8 but doesn't get 20-30'.

Mr. Eggleston: Why don't we consult with Peter Osborne for what appropriate vegetation should be.

Mr. Spear: I am already doing that with Muster Forest, I can explain to him the slope, condition of the soil, the objective of the east side and the west side. We are working on some suggestions.

Mbr. Winkelman: How about letting it is woods.

Mbr. Estes: I would like to comment on the discussion from earlier on to now. We want to mitigate this entire steep slope and now we're talking it's too steep, too steep.

Mr. Molar: But the road goes through it.

Mbr. Estes: I know, we are trying to force something on to these steep slopes.

Mr. Spear: The road is there, the only reason that area is in red is that John asked us to put it in red, neither EDR nor Appel Osborne put it in red. We added that later at Scott's request.

Mbr. Winkelman: It's in the comprehensive plan about a thousand times, protecting steep slopes in the watershed and all that stuff. It is a no brainer for this to be land of high conservation value.

Mr. Spear: Now we are talking about planting on it.

Mbr. Winkelman: Let it be woods.

Chm. Tucker: I thought the woods already existed there.

Mr. Eggleston: There are some trees there.

Mr. Molnar: Does it need to be maintained to protect the views upland of it.

Mr. Spear: Yes, it probably does.

Mr. Molnar: My suggestion of the east side of the road needs some maintenance.

Mbr. Estes: It's called Hidden Estates, let it grow woods.. Hide it so we don't have to see it from the other side of the road.

Mr. Spear: What you see from across the lake is based on what is going to be on the lakeside, the west side of that road. That road can disappear if we let the west side grow up. The east doesn't affect the view from the other side. Anyway, we need some time to look at this.

Mr. Eggleston: We need some time to select the appropriate vegetation.

Mbr. Estes: Maybe we could see some rendering or what it would look like.

Mr. Molnar: If you are thinking of rendering building envelopes perhaps a plan to add to one to eight -

Mr. Eggleston: We've already created them and they have already been submitted. I have a problem with C as you are saying all of the building envelopes need to be in the low conservation area exactly where you don't want it to be. We want to put it in the medium conservation area that is right in that area.

Mr. Molnar: Then I'm inconsistent. Number 4 says areas designated as medium shall be permitted for the conservation road as well as the nine intended home sites.

Mr. Eggleston: That's where number 4c states that only the low shall have the building envelopes, which I wasn't following.

Mr. Molnar: I'll clean this up, I'll add the items mentioned and I'll circulate it probably tomorrow.

Mbr. Winkelman: Why does the Appel & Osborne map conservation findings number 8, in the back it has kind of these broad things and why is this so angular?

Mr. Spear: It's based on slope.

Mr. Eggleston: You go to map 7, we followed the medium dark yellow on the map. You asked that the slopes that are 20% and more be made high conservation. The only steep slope over 30% on the whole entire site is right there which was graded as a result of building the road. If you go back to the steep slope map, we separated out 12-20% and 20%-30%. This area that we made high conservation for you was over 20%. Whereas, 12% is a great walk out basement site and where there is nothing wrong with building on a 12% slope. Originally, we used 12% and 30% because that's the code. Now other places used 15%, we basically created the four scales here with the light yellow and dark yellow.

Mbr. Winkelman: Your nit picking that's all. The whole fricking area is steep. The codes do specify that it is non-buildable

Mbr. Estes: 12%, you can.

Mbr. Winkelman: I just see this whole area. Your conservation map number 8, you've got these big blobs in the back and then you get all angular and particular saving these little things.

Mr. Eggleston: 8 is nothing more than 7, if you look at 7 you couldn't take five shades of red, anything that had orange had one trigger item that put it into high conservation. The red areas had four or five that put it into high conservation. That's where we put it in based on, even if one item triggered it as opposed to four.

Mbr. Winkelman: In the future, I got to think that the Planning Board should do the conservation analysis higher. This is the second application that is - -

Mr. Eggleston: I think this is the first conservation analysis you've seen that has looked at all of the criteria.

Mbr. Estes: Looking at it - -

Mbr. Winkelman: You didn't do the steep slopes before, your original - -

Mr. Eggleston: This is the first conservation analysis that has looked at seven different components that are required in the conservation analysis.

Mbr. Estes: What do you have there Howard?

Mbr. Winkelman: I still don't like it, but - -

Mr. Brodsky: One of the issues that I was quietly discussing with Scott was the concept of the building envelope as a working unit. He had talked about a two-acre maximum. There are several lots, lot 6 is 2 ¼ acres total going up to lot 5,7 and 8 at 3 acres. I am not criticizing the lots per say, I just want to say I like the concept of what Scott was suggesting working with a building envelope, the two acre number is too big.

Mr. Eggleston: I can actually give you the acreage size of this, of the envelopes.

Mr. Molnar: Can you do that?

Mr. Eggleston: I can, quite honestly in lots 9 and 10 where we have 16 acre lots, the intention is that they should have greater than two acre building envelopes because that is where you put the horse farm or that's the place you put you can have the swimming pool , gym and tennis courts.

Mr. Molnar: I think we need one for that lot 11.

Mr. Eggleston: There is no lot 11.

Mr. Brodsky: The residual lot is lot 11.

Mr. Eggleston: I think we can give you the sizes of this and I noticed on one of my plans I had a chart that gave all of the sizes of the lots on it. What I will do is put the building envelope, either in square footage or acreage. This is the acreage for each of the lots, and then I can put the building envelopes for each on here. We may have ¾-acre building envelope on some of these smaller lots. I'll just calculate those.

Mbr. Southern: Why isn't lot 11 on there? Why is it called residual? We are going to treat it as lot 11.

Mr. Eggleston: Again, that's part of the conversation, we didn't have a chance to address when we got this at 4 o'clock.

Mbr. Estes: That was what was decided at the last meeting.

Mr. Molnar: That was in the last minutes.

Mbr. Southern: It would be lot 11 representing this conservation subdivision and all of the land involved.

Mr. Spear: No, not a building envelope on lot 11.

Mbr. Southern: Why not?

Mr. Spear: It's not going to be a single building lot until it goes into conservation.

Chm. Tucker: The minutes have the building envelopes in the minutes for lot 11.

Mr. Spear: Well you and Delaney are working on that, right Scott?

Mr. Molnar: I haven't spoken to him since the last meeting. I reviewed the minutes and the minutes said - -

Chm. Tucker: That there is a building envelope on lot 11.

Mbr. Southern: That needs to change. There is a lot 11 and reflected with that size lot, meeting all of the restrictions imposed on a conservation subdivision.

Mr. Molnar: I will connect with him tomorrow and run this to ground.

Mr. Spear: That is not consistent with what you have said before.

Mr. Molnar: It's consistent, if you read the minutes from last month.

Mr. Spear: We didn't agree to that. Scott Winkelman jumped up and said so you're going to build one lot there and we said that we are not building there.

Mr. Molnar: Well it is impossible for us to manage the rest of the conservation subdivision and not that one too, not that one as a lot, which results from the conservation subdivision moving forward.

Mr. Spear: Right, but we can't limit it to one lot. We can't limit it now to one house.

Mbr. Estes: Why not?

Mr. Spear: Because we are going to sell that subdivision right.

Mbr. Southern: If it is in a conservation subdivision, it's going to have the restrictions on it.

Mr. Spear: It's 30 acres, it can be as many as 5 lots.

Mbr. Southern: No, it can't.

Mr. Molnar: It can only have 12 on the road, you can have only twelve driveways.

Mr. Spear: its potential, we're talking about potential.

Mbr. Southern: But we aren't going to grant a plan on potential.

Mr. Brodsky: That land is part of a conservation subdivision of 80 acres and it is focused on that conservation road.-

Mr. Spear: Scott, you consistently said that it doesn't prevent it from becoming 5 six-acre lots at some point in the future.

Mr. Molnar: I never said that.

Mr. spear: Yes you did.

Mr. Molnar: No I didn't.

Mr. Eggleston: Joe said gee, we could get a right of way in from another way.

Mbr. Southern: That was the initial thing before you went to the conservation. If you want to cut a road in and come down through there, go for it, but you don't want to do that.

Mr. Spear: No, we don't want to do that.

Mr. Molnar: At that point, you asked for it to be pulled from the subdivision and not considered part of the subdivision because you have access. This conservation subdivision limits the number of driveways that can be on the road to 12. There are three existing plus nine; that automatically makes this a one building site lot.

Mr. Eggleston That residual lot - -

Mr. Spear: But potentially if there were an entrance from the back, it could be 5 six-acre lots. Not that it's ever going to happen.

Mbr. Estes: Not if it is part of the conservation - -

Mr. Spear: Sure, it is as part of a conservation subdivision it can be.

Mbr. Southern: It's going to have a conservation easement on it.

Mr. Spear: Than means six acres per average lot.

Mbr. Southern: That means for this subdivision it is going to be one lot, lot 11.

Mr. Molnar: One lot on the road, twelve driveways permitted for this conservation road. That to me is one singular lot, one singular building site, one singular building envelope.

Mr. Eggleston: That can be served by this conservation road.

Mr. Molnar: Correct.

Mr. Eggleston: Correct, I agree with you. You need another road altogether if you want to do something different.

Mr. Spear: Right.

Mr. Eggleston: You need a driveway that comes in from another location.

Mr. Molnar: But that doesn't exist, and as a result, this is one so we need one building envelope for it for this conservation subdivision to advance as presented.

Mr. Spear: That depends on whether it limits future development from an appraisal standpoint. That's all we care about is the appraisal.

Mr. Molnar: That's your focus, but it can't be our focus when we are trying to manage the conservation subdivision with twelve driveways onto one road is where we are.

Mr. Spear: That's up to you and Delaney.

Mbr. Southern: What it will be is lot 11, and treat it as lot 11 in a conservation subdivision.

Chm. Tucker: We've gone through this in the previous meeting and the minutes time and time again.

Mr. Molnar: My apologies, did the Board approve and pass the prior minutes.

Chm. Tucker: Yes.

Mr. Molnar: I will revise the this resolution to incorporate the items we've mentioned, I'll red line it and send it to the Board either tomorrow or the next day at the latest, and everyone else here, Don, Bob, Rudy and John Delaney and then - -

Mbr. Southern: Make sure with the understanding on that eleventh lot included somehow.

Mr. Molnar: It's in there now. I will also call John and run this to ground with what the Planning Board feels is permissible and how we reconcile it with the applicant's request.

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, Secretary/Clerk