

**Town Board Meeting**

**May 2, 2022**

**6:30 p.m.**

**Zoom:** Meeting ID: 861 8204 1271 Passcode: 493025

**Present:** Deputy Supervisor Alexander, Councilor Tucker, Councilor Legg, Councilor Dove, Attorney Smith.

Supervisor Aaron absent.

**Also, Present (via Zoom):** Keri Fey, Bob Herrmann, Brian Buff, Tim Dobrovosky, Chris Buff, Sue Murphy, Kim Benda, Shane Christman, Paula Powell.

**Also, Present:** Karen Barkdull, Planning & Zoning Attorney Scott Molnar.

Deputy Supervisor Alexander announced Town Engineer Miranda Robinson welcomed her baby boy Rio on April 28<sup>th</sup>. The Board congratulated her.

**Highway & Water:** Highway Superintendent Tim Dobrovosky submitted his report to the Board for their review. \* report attached.

Highway Superintendent Dobrovosky requested the Board declare the 1964 12e Caterpillar Grader be declared surplus in order to sell.

On a motion of Deputy Supervisor Alexander, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Board declared the 1964 12e Caterpillar Grader as surplus.

**Transfer Station:** Municipal Recycling Liaison/Refuse Officer Brian Buff reported they removed six loads of trash, five open top containers, and three loads of recycling material. The PaintCare contract had been submitted. The Swap Shop had been a big success, and the new location worked out much better.

Councilor Legg stated David Tanner had started at the Transfer Station and was working out well. He also announced the Transfer Station provided the service of US flag proper retirement. If anyone needed to properly dispose of a US flag bring it to the Transfer Station and they would take care of retiring the flag properly.

**Planning and Zoning:** Planning and Zoning Secretary Karen Barkdull reported on the open projects report submitted, there are six new open projects. Ms. Barkdull reviewed the status of existing projects still open; Lakelawn – proposed brick and stone masonry wall to replace wood fence along West Lake Road, this project is on hold. Nulty – application is on hold with the Planning Board for the shed, awaiting the owner to apply to the ZBA for variance approval. Chris Graham – Application pending for re-design of multi-family residences for the RR district. Victory Sports – The application is pending as the applicant is considering the potential for smaller scale development on the property. Other activities included five pre-application meetings, Planning &

Zoning meeting held on April 20, 2022, final draft shoreline zoning code prepared for the Town Board, 3 hamlet meetings, and 2 Zoning Committee meetings.

**Codes:** Codes Officer Herrmann reviewed the Codes Office report for April 2022. He reported there were 20 new permits issued at a total construction cost of \$3,019,892.00 with permit costs for a total of \$16,770.20, 10 Certificates of Completion and 5 Inspections.

Codes Officer Herrmann reported at this time there were 45 expired permits they are trying to track down. The fire inspection process is up and running. Kim Benda is assisting with the Town Energy Compliance Certificate. He would be attending the NYSERDA 8 hour class on Tuesday, May 2<sup>nd</sup> downtown Syracuse. Town Engineer Miranda Robinson had completed inputting figures for the new Town table R301.2 (1), building code. He and Codes Officer Ben Garrett are caught up with training, they attended the NYSBOC Conference April 5-7. And, he had met with the Woodbine group this week and would be issuing the building permit the hotel On Mottville Road very soon.

**Parks:** Parks Director Sue Murphy reported she had begun ordering supplies for the Parks and the since the 2022 budget was approved the prices have increased. She is adjusting the orders to fit the budget. She may have to request more out of the Recreation Reserve Fund in the future to get through the year. Interviews are continuing for summer seasonal employment. Josh Charili had resigned and they are looking for a Parks Laborer. Gene Laforte is back, and he is working on getting quotes for the pickle ball courts. They were working on getting the fields ready for Lakeshore Baseball. The Farmers Market starts this month and they are working with the vendors. Swim Tags are in and will be available at the Town Hall and the Waterfront, the Boat Launch would be open by Memorial Day and they continue to weed eat and mow.

**Water Department:** Water Employee Shane Christman reported in Engineer Robinson absence.

This month they finished up the Annual Water Quality Report, submitted it to a member of the health department for a proofread and to make a couple corrections. (A thanks to the budget office for gathering Facts and Figures for me).

Dig safes had been a frequent task since the weather has been getting better. Weekly chlorine and turbidity tests had been performed and bacteria tests were completed at the beginning of April and sent into the lab with good results.

On the service side of things, this month they ordered and received parts needed for upcoming projects. We had a couple customers decide to wait on new service installations. With that being said, we still have a meter pit installation coming up on Jordan Rd within the next month, a live tap and curb box installation on Coach Rd, fire hydrant replacement on Fisher Rd, fire hydrant flushing throughout our whole system, curb box and lawn repairs, and a handful water meters that need to be updated/repared. These services and our usual weekly and monthly testing of the water and maintenance of the PRV pits will be leading to a busy and productive summer. Looking forward to making it happen and working with everyone.

They are constructing a plan for the Lead and Copper service line inventory, which is due by October 2024, and looking forward to Water License schooling coming up in May.

**Budget :** Bookkeeper Keri Fey reported the March 2022 Supervisor’s Report had been submitted to the Board.

**Minutes of April 18, 2022:** On a motion of Councilor Tucker, seconded by Councilor Dove, and with a (4-0) affirmation of the Town Board, the minutes of February 17, 2022, were accepted as presented.

**Town Sign Project – Sign Proof:** Deputy Supervisor Alexander stated they had received the sample proof for the town wide sign project. There are a few changes that need to be made but it would be available for the Board to review.

**Transportation Drive:** Deputy Supervisor Alexander stated the Woodbine Group had received their approvals from the Planning Board for their application for a new hotel at the site of the old Hilltop Restaurant and they are looking to the Town Board to approve their plans for Transportation Drive.

Tom Fernandez representing the Woodbine Group stated they are asking for comments from the Town Board regarding the project and the plan for Transportation Drive. They had received their approvals from the Town Planning Board.

Highway Superintendent Dobrovosky stated it should not have much effect on the Highway Department. Councilor Tucker stated he had spoken to Superintendent Dobrovosky regarding the stop signs coming out of the drive from the Quickfill and the Woodbine project, every entry to Transportation Drive should have a stop sign. Mr. Fernandez stated they would be installing stop signs on all their entrances and exit.

Councilor Legg stated the Quickfill is separate, and they would have to agree as well to install Stop signs.

Planning Secretary Barkdull stated a condition of the Planning Board is that the Town Board provide written approval that the applicant is going to undertake, maintain and pay for all landscaping. A portion of the landscaping would encroach on to Transportation Drive. The Planning Board would like a written agreement with the Town that the applicant would be taking on these responsibilities.

Attorney Smith stated this could be a license agreement with the applicant. He would work with Mr. Fernandez to create this agreement. The Town Board also commented on other items that should be in this agreement such as crosswalks.

Planning and Zoning Attorney Molnar stated the Planning Board requested that “the Town of Skaneateles Town Board issue express written approval for the Applicant to undertake, complete, and maintain, at its own cost and expense, all landscaping and other improvements to be made in the right of way of the private road known as Transportation Drive.”

The applicant is to obtain approval for any and all agencies that have jurisdiction, including the Town under the criteria you are reviewing in the application.

Councilor Tucker stated there was some concern over the fire hydrant at the back of the property. Attorney Molnar stated the applicant agreed to move the hydrant to protect it from traffic. It will be placed where it is best suited. The Fire Chief had approved the hydrant plan as well.

The Board discussed the proposed crosswalks. They wanted pedestrians to continue to use the current crosswalk that goes to the Quickfill but not have more than one. This was a comment from the Highway Superintendent. It could be cumbersome to have more than one crosswalk.

Mr. Fernandez stated it is their intention to bring people across the parking lot to the sidewalk rather than one in the middle of the drive going to the Quickfill.

Planning Secretary Barkdull stated the Zoning Board of Appeals had made a condition that the applicant put in a second crosswalk from the parking area of the Woodbine Hotel to the drive at the Quickfill, across Transportation Drive.

Councilor Alexander stated this is a concern of the Highway Superintendent.

Attorney Smith stated in the agreement there should be the following:

Improvements made by the applicant on property owned by the Town:

1. Landscaping
2. Stop Signs
3. Developer would be required to stripe the crosswalks
4. And the relocation of the Fire Hydrant if it is on Town Land.

Attorney Smith stated he would like to have a final site plan from the developer. Mr. Fernandez said he could submit that.

Councilor Dove asked if there is a crosswalk are all vehicles required to stop at all times? She stated she did not know if it would be a good idea to encourage people to walk across at this location.

Councilor Alexander stated the Zoning Board of Appeals has more experience with planning and would agree with a second crosswalk since people would be crossing in this location anyway and we should have some sort of safety device.

Councilor Tucker asked if they had their water and sewer approvals from the Village. Secretary Barkdull stated they are in the process of getting their approvals. This was also a condition of their Planning Board approval. The new water and sewer system will be more efficient than the previous system and have less water usage.

Councilor Alexander stated this is a huge improvement on the property.

Councilor Tucker commented on the bioswale and that it would help with the drainage.

Highway Superintendent stated he did not want to see a second crosswalk across to the drive at the Quickfill. If there is a crosswalk there the highway trucks and school busses would have to stop. People will cross where they want to even with a cross walk.

Councilor Alexander stated this could be an issue for the busses. Councilor Dove agreed there does not need to be two.

Councilor Legg asked Superintendent Dobrovosky if there is not a pedestrian in the crosswalk does the vehicle still need to stop. Superintendent Dobrovosky answered no, but he did not want to see someone jump out in the crosswalk and some of the trucks are bigger and it would be dangerous. They pedestrians should wait for the traffic to pass before crossing.

Councilor Alexander stated yes, the busses should have the right-of-way. But, this would not be a high traffic area. This would have to be considered.

Councilor Tucker stated the width of the driveway is being considered with this plan, he asked Superintendent Dobrovosky if he had any concerns with this. He answered no this is not a problem on Transportation Drive. The road is not being changed.

Councilor Alexander asked if the ZBA had been aware of the Highway Superintendent's concerns. Secretary Barkdull stated yes it was shared with the ZBA.

Attorney Molnar stated the crosswalk is part of the Planning and Zoning Board approvals.

Attorney Smith stated the Planning and Zoning Board had created a list of conditions for the applicant. Normally these conditions would not involve the Town Board but in this case some of these things are located on Town land. A drawing should be provided by the applicant of all the improvements that are required and then he would draw up a license agreement to be approved by the Town Board.

The Board agreed to have Attorney Smith draw up the license agreement for their review.

**Revised 284 Highway Agreement:** Highway Superintendent Dobrovosky stated he is requesting an amendment to the 2022 agreement for the expenditure of highway moneys. He stated due to the cost of materials rising he needed to amend the agreement to take into account, the increase in costs. The additional funds would come out of the Highway unappropriated fund balance.

On a motion of Councilor Tucker, seconded by Councilor Dove and with unanimous (4-0) affirmation of the Town Board, the Amended 284 Agreement for the Expenditures of Highway Monies for 2022.

**Authorize Reserve Fund Transfer – Guppy Falls Stairs:** Deputy Supervisor Alexander stated the replacement of the Guppy Falls stairs was approved in the 2022 budget. The money would need to be taken out of the Recreation reserve fund.

Deputy Supervisor Alexander said she is preparing the bid packet and working on getting 3 quotes.

On a motion of Deputy Supervisor Alexander, seconded by Councilor Legg and with unanimous (4-0) affirmation of the Town Board, the Clerk was instructed to advertise to transfer from the following fund subject to the permissive referendum requirements of Town Law: requesting a reserve fund transfer from the Recreation Reserve Fund an amount not to exceed \$30,000 for replacement of the stairs at the Guppy Falls.

**Introductory Local Law A of 2022 “Shoreline Regulations and 148-12-2 Definitions” :** Attorney Kokkoris stated this local law is reimplementing the shoreline structures development regulations that grant the Planning Board the authority to undergo site plan review, for on- shore and off-shore structures. This would include docks, but only docks that are larger than 300 square feet. And patio and decks that are over 400 square feet. This follows a change in State Legislation that allows the Town and village to regulate shoreline development.

He reviewed the prepared resolution and stated a public hearing would need to be scheduled to proceed. The proposed local law would need to be referred to Onondaga County Planning and the Town of Skaneateles Planning and Zoning Boards.

Attorney Molnar stated previously the Town had the authority to regulate shoreline structures but this authority was preempted by the State of New York. New York State passed legislation last year that Onondaga County and the Town of Skaneateles may adopt and enforce local laws and regulations on shoreline structures within 1500 feet of the shoreline in the Town of Skaneateles.

He stated Secretary Barkdull and Planner Howard Brodsky along with the Planning Board and Zoning Boards had gone through the prior regulations to meet our current needs. The updated shoreline regulations and definitions had been submitted to the Town Board for your review.

Deputy Supervisor Alexander stated the Town used to have the authority to regulate shoreline and lake structures. The previous law had been reviewed and amended by Planner Howard Brodsky, Karen Barkdull along with the attorneys and the Planning and Zoning Boards. This amendment to the Town Code Zoning chapter 148 had been presented to the Town Board tonight for their review.

Councilor Legg stated this proposed law would not go backwards. Anything that is legally in place would be considered a non-conforming structure.

Attorney Molnar stated legally pre-existing non-conforming structures are permitted. This would not affect these structures at all.

Councilor Tucker stated he had a question about temporary docks and if they would also need to be reviewed. Attorney Molnar stated temporary docks would now be considered seasonal and would only need to be reviewed if the dock is over 300 square feet.

Councilor Tucker stated he had a problem with this section and seasonal docks should be considered and not be subject to review. This change would affect property around the lake and would make a lot of angry property-owners.

Councilor Dove asked when this document would be available to the public. Deputy Supervisor Alexander stated it would be available on the website tomorrow. The Board needed to refer this document to Onondaga County Planning and the Town of Skaneateles Planning and Zoning Boards and schedule the public hearing tonight.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board resolved that the Town Board scheduled a Public hearing for

Proposed introductory Local Law A of 2022-“Shoreline Regulations and 148-12-2 Definitions” for 7:00 p.m. on June 6, 2022.

On a motion of Councilor Legg, seconded by Councilor Dove and with unanimous (4-0) affirmation of the Town Board, the Town Board resolved that the Town Board referred Proposed introductory Local Law A of 2022-“Shoreline Regulations and 148-12-2 Definitions” to Onondaga County Planning, and the Town of Skaneateles Planning and Zoning Boards.

On a motion of Councilor Legg, seconded by Councilor Dove and with unanimous (4-0) affirmation of the Town Board, the Town Board hereby declares its status and role as lead agency for purposes of a coordinated review under SEQRA of the Local Law, the Town Board hereby preliminarily classifies the Local Law -A of 2022 “Shoreline Regulations and 148-12-2 Definitions as a Type 1 Action under SEQRA.

\*resolution attached

**NYS DEC request - SEQR Coordination Lukins Mine Proposed Modification Permit:** Deputy Supervisor Alexander stated the town received a letter from the NYS DEC regarding SEQR coordination for a proposed mine modification permit at the Lukins Mine on Shepard Road. The modification would include an addition of 81.5 acres.

Attorney Kokkoris reviewed the following from the letter submitted by the NYS DEC:

“The Region 7 Office of the NYS Department of Environmental Conservation (DEC) has received an application for an Article 23 Mined Land Reclamation permit modification for the above referenced project in the Town of Skaneateles, Onondaga County. This modification request was received by DEC on April 7, 2022. The applicant, David J. Smith, is proposing to add 81.5 acres to their existing Life of Mine limits (LOML) currently at 11.4 acres, on 167.35 acres of David J. Smith owned parcels along Shepard Road. The project is subject to the State Environmental Quality Review Act and is a Type 1 Action 6NYCRR Part 617.4(b)(6)(i).

The purpose of this request is to determine Under Article 8 (State Environmental Quality Review: SEQR) of the Environmental Conservation Law (ECL) and 6 NYCRR part 617 the following:

1. Your jurisdiction in the action described in the enclosed documents;
2. Issues of concern which you believe should be evaluated.

Attorney Kokkoris stated the NYS DEC has asked for a response from the Town with in 30 days. He and Attorney Smith recommend the Town Board refer this to the Planning Board for comments and consent to the DEC to serve as lead agency for SEQR. And, to inform the NYS DEC that there is need for Special Permit approval from the Town of Skaneateles Planning Board.

Attorney Molnar stated the Planning Board has areas of the operation which are within the Town control under the existing zoning but, the State has exclusive jurisdiction to grant or deny the application. The Planning Board also would enforce the conditions set by the NYS DEC.

On a motion of Deputy Supervisor Alexander, seconded by Councilor Tucker and with unanimous

(4-0) affirmation of the Town Board, the Town Board authorized to refer the New York State Department of Conservation request for SEQR Coordination of Lukins Mine, Proposed Mine Modification Permit DEC # 7-3150-00144, MLR # 70462, Addition of 81.5 acres to Life of Mine Town of Skaneateles, Onondaga County to the Town of Skaneateles Planning Board for review.

**Comp Alliance Participation Agreement:** Bookkeeper Fey reported Comp Alliance is our current workers comp insurance holder and had been for many years. The Town is happy with their service and would like to continue.

On a motion of Deputy Legg, seconded by Councilor Dove and with unanimous (4-0) affirmation of the Town Board, the Town Board authorized Deputy Supervisor Alexander to sign the Member Participation Agreement with Comp Alliance, NYS Municipal Workers Compensation Board.

**NYS Retirement Standard Workday Report Resolution:** Town Clerk Stenger explained that the Standard Work Day Resolution is a requirement of NYS Retirement for those elected and appointed officials that do not keep a time sheet. Those officials are required to keep a 3-month record of activity at the beginning of their term to establish the number of hours credited toward their NYS Retirement.

On a motion of Deputy Supervisor Alexander, seconded by Councilor Legg and with unanimous (4-0) affirmation of the Town Board, the Standard Work Day and Reporting Resolution was accepted as presented providing the accounting of hours for Town Clerk Julie Stenger, Highway Superintendent Timothy Dobrovosky, Tax Collector Lori Milne, Councilor Mark Tucker, Councilor Sue Dove and Outreach Coordinator Jacque McConaughy for 2022.

#### **Announcements/Correspondence/Updates**

- *Gordon “Gordy” Carlson Recognition of 50 years of Service – Skaneateles Fire Department:* Councilor Dove updated the Board on the recognition of Gordon Carlson at the Fire Department Banquet. Councilor Dove presented Fireman Carlson with a certificate of recognition from the Town for his 50 years of service with the Fire Department.
- *Update – Fire Department Banquet:* Councilor Dove updated the Board on the Fire Department Banquet she had attended, it was a wonderful event for our many volunteers. The Board thanked Fire Department and all their volunteers.
- *Update – Hamlet Committee Meeting:* Councilor Legg updated the Board on the Hamlet Committee meeting and the meetings they have had with EDR. They are trying to schedule an open house for the public in June.
- *Update Swap Shop:* Councilor Legg updated the Board on the Swap Shop at the Transfer Station. He stated the Swap Shop is going well. He thanked Amy Rolleri and the many volunteers.

Councilor Legg stated there are some Swap Shop volunteers that do not reside in the Town and he read the following statement:

"The Town of Skaneateles Transfer Station provides trash and recycling deposit services to Town residents only on a paid permit basis. Temporary passes are provided to individuals performing work, inspections, or other services at the Transfer Station. These temporary passes do not permit depositing trash or recycling. As the Swap Shop relocated, three longstanding, non-resident Swap



Shop volunteers were grandfathered to continue their volunteer service helping residents at the Swap Shop. They began helping on a weekly basis years ago when the Swap Shop restarted. They are not permitted to use any Transfer Station services including taking any items from the Swap Shop."

- *Sunrise Rotary Charlie Major Nature Trail Clean:* Councilor Legg updated the Board on the Sunrise Rotary Charlie Major Nature Trail Clean up. The filled 10 bags of garbage and removed 2 tires. He thanked the Parks Department for helping with removing the trash that was collected.
- *Update – Open Space Committee:* Councilor Tucker updated the Board on the request from Andy Ramsgard of the CNY Land Trust to help with the purchase of land development rights or conservation easements on properties in the Town. One of the properties being looked at was Dave Laxton’s on West Lake He met with the Open Space Committee to review the request from Mr. Ramsgard and CNY Land Trust.
- *Route 81 FEIS Letter:* Deputy Supervisor Alexander announced Supervisor Aaron wrote a letter to the NYS DOT requesting they extend the comment period on the FEIS for the I-81 project from 30 to 90 days. \*letter attached.
- *John Mannion Thank you Letter:* Deputy Supervisor Alexander announced a Thank You letter was received from Senator John Mannion for holding the Senator’s sponsored COVID test give away at the Austin pavilion. The event was a success.

**Public Comment:** No public comments.

**Budget Amendments:** On a motion of Councilor Tucker, seconded by Councilor Legg, and with unanimous (4-0) affirmation of the Town Board the following budget amendments for abstract #22-09:

General Fund

\$ 950.00	Increase	016201.01.001.00	Building PS – P/S
\$ 950.00	Decrease	016202.01.002.00	Building EQ – EQ

Additional employee hours for TH bathroom renovation

±

±

Highway Town Wide Fund

\$ 60.00	Increase	090458.03.008.00	Life Insurance
\$ 60.00	Decrease	090898.03.008.00	Other Employee Benefits

Highway Town Wide Life Insurance

**Abstract #22-09:** On a motion of Councilor Legg, seconded by Councilor Dove and with unanimous (5-0) affirmation of the Town Board vouchers #22-0512 - #22-0558 were authorized from the following funds:

General Fund:	\$ 11,095.02	Highway:	\$ 1,535.55
Water:	\$ 17,866.32	Part Town	\$ 1,737.41
Hwy Part Town	\$ 1,433.95	Fire District	\$168,813.93
T& A	\$ 3,203.03		
<b>TOTAL:</b>	<b>\$205,685.21</b>		

**Executive Session:** On a motion of Councilor Tucker, seconded by Councilor Dove and with

unanimous (4-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 8:15p.m. for attorney advice and personnel.

On a motion of Councilor Legg, seconded by Councilor Dove with unanimous (4-0) affirmation of the Town Board the meeting was returned to open session at 8:50 p.m.

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Board approved Parks Director Sue Murph to carry over her unused vacation time till the end of 2022.

On a motion of Councilor Tucker, seconded by Councilor Legg and with unanimous (4-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 8:51 p.m.

Respectfully Submitted,



Julie A. Stenger  
Town Clerk

**REVISED AGREEMENT FOR THE EXPENDITURES  
OF HIGHWAY MONIES**

*Agreement BETWEEN THE Highway Superintendent of the Town of Skaneateles, Onondaga County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of section 284 of the Highway Law, we agree that monies levied and collected in the Town for repair and improvement of highways shall be expended as follows:*

1. GENERAL REPAIRS. The sum of \$50,000 shall be set aside to be expended for primary work and general repairs upon **40.82** miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The following estimated sums shall be set aside to be expended for the permanent improvements of Town Highways:

a. County Line Road from RT. 5-20 to Benson, a distance of 2.66 miles, there shall be expended not over the sum of  $\$183,821.62 + \$13,586.82 = \$197,408.44$

b. And Irish Road from Jordan Road to the County line, a distance of .34 miles, there shall be expended not over the sum of  $\$22,536.00 + \$542.53 = \$23,078.53$

c. And School Street from Jordan Road to Stump Road, a distance of .32 miles, there shall be expended not over the sum of  $\$19,980.00 + \$481.00 = 20,461.00$

**CHIPS TOTAL  $\$226,337.62 + \$14,610.35 = \$240,947.97$**

d. A new seal coat of oil and stone for the Roads of :

Giles 1.78 miles from Benson to Hencoop

Hencoop 1.76 miles from Benson to RT.41A

Weeks 1.5 miles from Hencoop to Lacy

Heifer 1.37 miles from RT.41A to RT38A

Albring .47 miles from Heifer to Cayuga County line; **TOTAL  $\$94,426.65+$**

**$\$56,660.85 = \$151,087.50$**

## **AGREEMENT FOR THE EXPENDITURES OF HIGHWAY MONIES**

*Agreement **BETWEEN THE** Highway Superintendent of the Town of Skaneateles, Onondaga County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of section 284 of the Highway Law, we agree that monies levied and collected in the Town for repair and improvement of highways shall be expended as follows:*

1. **GENERAL REPAIRS.** The sum of \$50,000 shall be set aside to be expended for primary work and general repairs upon **40.82** miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
  
2. **PERMANENT IMPROVEMENTS.** The following estimated sums shall be set aside to be expended for the permanent improvements of Town Highways:
  - a. County Line Road from RT. 5-20 to Benson, a distance of 2.66 miles, there shall be expended not over the sum of \$183,821.62,
  
  - b. And Irish Road from Jordan Road to the County line, a distance of .34 miles, there shall be expended not over the sum of \$22,536.00,
  
  - c. And School Street from Jordan Road to Stump Road, a distance of .32 miles, there shall be expended not over the sum of \$19,980.00; **CHIPS TOTAL \$226,337.62.**
  
  - d. A new seal coat of oil and stone for the Roads of :  
  
Giles 1.78 miles from Benson to Hencoop  
  
Hencoop 1.76 miles from Benson to RT.41A  
  
Weeks 1.5 miles from Hencoop to Lacy  
  
Heifer 1.37 miles from RT.41A to RT38A  
  
Albring .47 miles from Heifer to Cayuga County line; **TOTAL \$94,426.65**

**RESOLUTION  
OF THE TOWN BOARD  
OF THE TOWN OF SKANEATELES**

**Proposed Shoreline Development Amendments**

**WHEREAS**, Pursuant to Municipal Home Rule Law Section 20(4), Board Member Mark Tucker has introduced for consideration Local Law No. A of 2022 entitled “A Local Law Amending Chapter 148 of the Code of the Town of Skaneateles” (the “Proposed Local Law”); and

**WHEREAS**, the purpose of the Proposed Local Law is to amend Sections 148-7-1 and 148-12-2 of Chapter 148 of the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the “Zoning Law”), related to shoreline development in the Skaneateles Lake watershed in furtherance of preserving the economic, environmental, aesthetic and recreational resources of the Skaneateles Lake watershed and to promote public health, safety and welfare; and

**WHEREAS**, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth at 6 NYCRR Part 617, and Section 239 of the General Municipal Law, with respect to these proposed amendments to the Zoning Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby declares its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law;

**BE IT FURTHER RESOLVED** that the Town Board hereby preliminarily classifies the Proposed Local Law as a Type 1 Action under SEQRA, and the Town Board hereby directs the Town Clerk to send Part 1 of the Full Environmental Assessment Form and the Proposed Local Law to all interested agencies to request their comments thereon;

**BE IT FURTHER RESOLVED** that the Town Clerk shall refer the Local Law to Onondaga County Planning for its review pursuant to General Municipal Law Section 239;

**BE IT FURTHER RESOLVED** that the Town Clerk shall refer the Proposed Local Law to the Town of Skaneateles Planning Board for its review and report pursuant to Section 148-10-11 of the Zoning Law, no later than thirty (30) days from the date of this resolution; and

**BE IT FURTHER RESOLVED** that the Town Board shall hold a public hearing to receive comments about the proposed amendments on June 6, 2022, 2022 at 7:00 pm.

The adoption of the foregoing Resolution was moved by Councilor Tucker, seconded by Councilor Dove, and duly put to vote, which resulted as follows:

Janet Aaron	Voting	Absent
Courtney Alexander	Voting	Aye
Sue Dove	Voting	Aye
Chris Legg	Voting	Aye
Mark Tucker	Voting	Aye

The resolution was thereupon declared duly adopted.

Dated: May 2, 2022

---

Town of Skaneateles  
Local Law A of the Year 2022  
A Local Law Amending  
Chapter 148 of the Code of the Town of Skaneateles

---

**Section 1. Authority**

This local law is enacted pursuant to the provisions of the New York Town Law and the New York Municipal Home Rule Law.

**Section 2. Purpose**

The purpose of the Proposed Local Law is to amend Sections 148-7-1 and 148-12-2 of Chapter 148 of the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the "Zoning Law"), related to shoreline development in the Skaneateles Lake watershed in furtherance of preserving the economic, environmental, aesthetic and recreational resources of the Skaneateles Lake watershed and to promote public health, safety and welfare.

**Section 3. Amendments to Code**

See the attached proposed amendments to Sections 148-7-1 and 148-12-2 of the Zoning Law.

**Section 4. State Environmental Quality Review Act (SEQRA)**

The Town Board has considered the provisions of Article 8 of the Environmental Conservation Law ("SEQRA") and the regulations adopted thereunder at 6 NYCRR Part 617 and finds that the proposed amendments to the Zoning Code will not result in any significant adverse environmental impacts. Therefore, no further review is required under SEQRA.

**Section 5. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 6. Effective Date**

This Local Law shall take effect upon filing with the Secretary of State.

**K. Skaneateles Lake shoreline regulations. – Governing the placement of onshore and offshore structures bordering or within Skaneateles Lake.**

**1. Applicability.** The following requirements apply to all onshore structures and lands located within 50 feet of the Lake Line (see Definition §148-12-2), to offshore structures located over the water within 1500 ft. of the Lake Line and to lands and structures within the one-hundred-year flood hazard area regardless of distance from the Lake Line.

**a. Planning Board Review.**

i). Onshore structures - Site Plan Review and Approval by the Planning Board is required for construction, expansion, or modification of all onshore structures. including the following: construction of all seawalls, retaining walls located 10 feet or less from the Lake Line, marine railways, permanent docks or seasonal docks larger than 300 square feet, decks, or patios larger than 400 square feet, stairways more than 25 feet above the Lake Line, boathouses, pump houses, and storage buildings. No accessory structure or improvement shall be built or expanded within 50 feet of the lake line or within the one-hundred year floodplain as shown on the flood insurance rate maps of FEMA except pump houses, docks seawalls, retaining walls, gazebos, stairways, storage buildings, fire pits not exceeding two feet in height or 16 square feet in area, children's playground equipment and boathouses.

ii). Offshore structures – Site Plan Review and Approval by the Planning Board is required for construction, expansion, modification, or placement of all offshore structures in the water or lakebed of Skaneateles Lake within 1500 ft. of the lake line, except as set forth herein. Examples of offshore structures include the following: seasonal or permanent fixed or floating docks, piers, wharves, rafts, moorings, boat launches, marine railways, boat hoists, and any improvement on top of or added to such docks, piers, wharves, pilings, pump houses and pumping equipment,

iii). Minor offshore structures – the following requires no permits from the Town provided that all other dimensional standards of this section are met: seasonal docks no greater than 300 sq. ft., one (1) mooring, two (2) seasonal boat hoists, one (1) swim float.

iv). Non-conformities –any lawfully pre-existing permanent nonconforming onshore and offshore structures may continue to exist as set forth in Article 8 of this Chapter, and any future modifications must meet the requirements of this Section.



**b. Dimensional Limits**

i). Structure Footprint - The total square footage of all structures listed in Subsection 1.a shall be limited as described below.

<b>MAXIMUM PERMITTED Structure square footage</b>		
<b>Lots with LAKE FRONTAGE of:</b>	<b>ON-shore structures</b>	<b>OFF-shore structures</b>
<b>&gt;200 ft.</b>	800 sq. ft for every 200 ft of frontage	800 sq. ft. <b>Maximum</b>
<b>Between 100 ft &amp; 200 ft.</b>	600 sq. ft.	600 sq. ft.
<b>&lt;100 ft.</b>	400 sq. ft.	400 sq. ft.
	Any structure that crosses the lake line shall have the sq. ft. of the onshore and offshore portions allocated to the respective areas of the site.	
	Seawalls and retaining walls used only for purposes of erosion control, containing no walks, or decking, shall not be included in the calculation of the square footage of shoreline structures.	

ii). Maximum Structure Height - the maximum height of onshore structures shall not be more than 12 feet above average grade. These restrictions also apply to any structure placed on top of another structure.

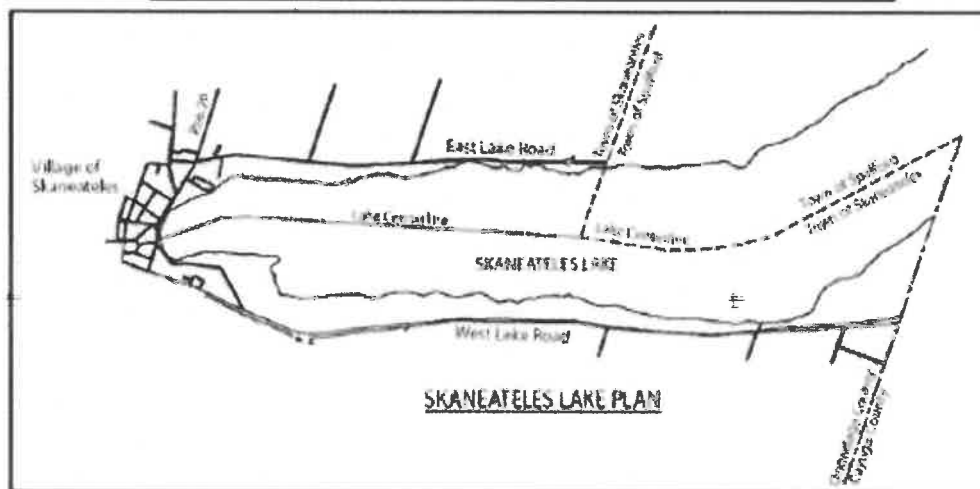
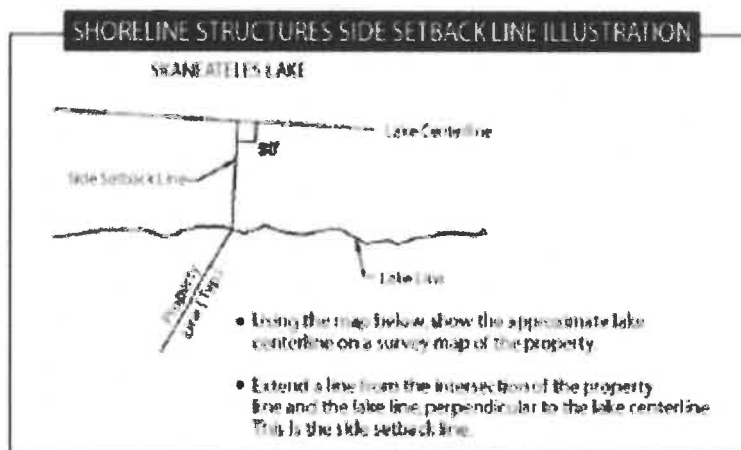
iii). Roofed Structures - No roofed or walled structures are permitted offshore, except for seasonal fabric roofs that are part of a boat hoist and removed at the end of the season.

iv). Maximum Number of Structures - Onshore structures are solely regulated by square footage (footprint), height, setback, and other applicable dimensional or bulk controls and therefore there is no specific limit on the number of onshore structures. The number of offshore structures is limited to not more than the following per lakefront lot: one (1) permanent or seasonal dock, one (1) marine railway and except as otherwise approved by the Planning Board and limited by the maximum square footage listed in the table above.

v). Setback - Setbacks for onshore structures from adjacent lands shall be determined in methods commonly applicable to any lot within the town. Setbacks applicable to offshore structures beyond the lake line shall be measured from an extension of the property lines into the lake. To locate the extension of the property line, the approximate center line of Skaneateles Lake shall be determined and a line perpendicular to this lake center line shall be

drawn to the property corners, the point where property lines intersect with the lake line. These perpendicular lines within the Lake shall be the base lines from which the setback is determined for all offshore structures. See diagram below.

Except as provided in § 148-8-9. A. 1, all onshore structures except seawalls and retaining walls needed for erosion control shall be constructed with a minimum side setback of 20 feet from the property line. All permanent offshore structures shall maintain a side setback of 10 feet from the property line extensions within the lake.



**c. Special requirements.**

- i). Materials - All applications for the construction of such structures shall be accompanied by a certificate acceptable to the Planning Board or official that all materials to be used in such construction are free of toxic substances and debris.
- ii). Related Zoning Procedures - Erosion control requirements See § 148-5-4. D. Site plan review requirements are listed in §§ 148-10-8. A, 148-5-4. D. 1, and 148-5-4. H. 5. See § 148-5-4. I. for Steep Slope regulations.

- iii). Coordination with other agencies - In addition to the requirements of this chapter, all applicable requirements of the New York State Department of Environmental Conservation, the New York State Office of General Services, the United States Army Corps of Engineers, and any other Federal, State or Onondaga County, City of Syracuse or municipal agency with concurrent jurisdiction shall be satisfied.
  - iv). Lakebed disturbance - Any disturbance of the lakebed which requires the approval of the City of Syracuse, NYS DEC and/or the Corps of Engineers shall also require Planning Board Site Plan review and approval. Examples of this may include installation of water supply lines for onshore development, or placement of pilings or moorings within or upon the lakebed.
  - v). Boathouses additional restrictions - The footprint area of a boathouse shall not exceed **500 square feet**. No residential use, kitchen or bathroom facilities shall be allowed in any boathouse. No boathouse shall be used for any purpose other than storage. No boathouse shall extend more than **10 feet** offshore beyond the mean the high-water mark.
  - vi). Boat slips - The placement and number of any boat slip associated with a dock, pier, wharf, piling, mooring or other any similar structure shall be subject to review and approval by the Planning Board or allowed minor structures (see above 7-1-K.1.a.iii). The Board shall find and consider, in addition to the Site Plan Review criteria that the proposed boat slip(s) can accommodate the anticipated number and size of boating vessels and that such vessels will not drift or otherwise adversely interfere or impact adjoining properties or the navigation and maneuvering boat traffic in the vicinity of the proposed boat slip(s).
  - vii). Commercial Use of offshore structures - No dock, wharf, pier, mooring or similar offshore structure shall be used for commercial purposes unless allowed as an approved Special Permit use such as a marina (see below: 7-1-K.1.d.). The leasing or rental of any private offshore structure that is accessory to a residential dwelling or a Shared Lakefront Recreation use is prohibited.
  - viii). Off-shore structure safety - No dock or marine railway shall be constructed or placed in a manner that will interfere with normal access to adjacent land or docks. Any submerged part of a marine railway less than four feet below the surface of the lake shall be identified by an approved navigational hazard buoy which shall be in place when ice is removed from the lake water lying within the Town's corporate boundary.
- d. **Lakefront marinas** - Marinas shall be allowed by Special Permit and may be exempted from the dimensional regulations of this § 148-7-K1 if they can satisfy all applicable performance criteria in § 148-10-6. The number of offshore structures may be greater if approved by a Special Permit from the Planning

Board.

2. **Supplementary lake yard restrictions** - In addition to the requirements of §148-5-4.H and §148-7-1K.1 above, all structures or site modifications located within **200 feet of the Lake Line** of Skaneateles Lake shall comply with the following requirements:
  - a. **Site Plan Review** - Any construction or expansion of any such structure shall require site plan approval, including an erosion and stormwater control measures as provided in § 148-5-4. D. 3.
  - b. **Grade changes** - No change of grade shall be permitted within 100 feet of the Lake Line except by Special Permit. A stabilization and planting plan is required.
  - c. **Dwellings within 150 ft. of the lake line** - No construction or expansion of any dwelling located within 150 feet of the Lake Line shall be permitted unless the lot has at least 75 feet of lake frontage for each four-bedroom or smaller dwelling, plus 25 feet of additional lake frontage for each additional bedroom. This provision shall not be construed to permit the creation of lots with less than the required minimum lake frontage for a conventional subdivision, except in the case of conservation subdivisions. In the event of a conflict with § 148-8-9. A, the more restrictive requirement shall control.
  - d. **Fences** - No fence exceeding four feet in height shall be permitted within 100 feet of the Lake Line. Any such fence four feet or less in height within 100 feet of the Lake Line (excluding gates) must allow at least 50% of visual penetration when viewed at any angle between 45° and 90° to its face, including pickets, post, rails, or any other feature that can block visual penetration.
  - e. **Berms or walls** - No berm or wall (except retaining walls along or parallel to the Lake Line or along a watercourse) shall be permitted within 100 feet of the Lake Line. Except for retaining walls serving as bank protection along or parallel to the Lake Line, no wall within 100 feet of the Lake Line shall exceed four feet in height. See § 148-5-4. I. 5, which establishes site plan approval requirements for such structures. A berm or wall six feet in height or less shall be permitted more than 100 feet from the Lake Line.
  - f. **Lighting** - All existing and proposed lighting shall be maintained in equipment and in a manner consistent with Town Site Plan Review standards and the provisions set forth in Section 148-5-4B.

**3. Shared lakefront recreation** - All land used for shared lakefront recreation (see definition) shall be required to comply with this Subsection 3. Land being used for such purposes at the time of the original enactment of this § 148-7-1 shall be considered a nonconforming use.

**a. Special Permit Conditions** - Land may be used for shared lakefront recreation by Special Permit, provided that the following conditions are satisfied:

- i). Dimensions required - A lot used for shared access must have at least 15 feet of shoreline and 2,000 square feet of lot area for each dwelling unit that shares lake access using the parcel. To illustrate, a parcel with deeded rights for eight dwelling units would need to have at least 120 feet of shoreline and 16,000 square feet of lot area. These dimensional requirements may be modified by the Planning Board on lakefront access parcels with more than 20,000 square feet in area and more than 200 feet of shoreline, provided that adequate buffers are provided to mitigate the impact on adjacent parcels and that permitted occupancy will not adversely affect lake water quality. In making this determination, the Planning Board shall consider issues of health, safety, and aesthetics, including pedestrian safety where a highway crossing is involved and the practical usability of the shoreline for lake access.
- ii). Occupancy limits - The Special Permit shall contain specific occupancy limits based upon the number of dwelling units times four people, in order to prevent degradation of the lake from overuse. The special permit may also contain requirements for buffering and screening between the shared lakefront parcel and adjoining properties to minimize disturbance to such properties and to protect their privacy.
- iii). Toilet facilities - If the occupancy limit (number of dwelling units times four persons) exceeds 25 persons, toilet facilities may be required as follows:
  - a).. Properly maintained chemical or waterless toilets shall be provided; or
  - b). Low water flow toilets, together with an approved subsurface disposal system, shall be provided, set back at least 100 feet from the Lake Line.
- iv). Parking - Adequate parking areas shall be provided as determined by the Planning Board.
- v). Sediment-pollution avoidance - Erosion and stormwater control measures, if required, shall prevent runoff containing sediment or pollutants from entering the lake. If no such measures are required because less than 5,000 square feet will be disturbed, the special permit shall contain such conditions as may be necessary to protect the lake from sediments or pollution, including but not limited to the provision of vegetated buffer strips along the shoreline.

- vi). Lake Watershed compliance - The development and use of the site shall comply with all performance standards for the Lake Watershed Overlay District.
  - vii). Inspection fee - For any site with an occupancy limit in excess of 25 persons, an annual inspection fee may be required in a sufficient amount to cover the cost of monthly inspections during the summer months.
- b. **Special Permit conditions** -The Special Permit shall contain such conditions on property management as may be necessary to ensure compliance with the requirements of Subsection 3.a above and any of the requirements of § 148-6-2 which the Planning Board determines to be appropriate.

## § 148-12-2. Definitions of Terms

A. As used in this chapter, the following terms shall have the meanings indicated:

**ACCESSORY APARTMENT**— A dwelling unit located within an owner-occupied structure containing a principal use that is single-family residential or nonresidential. See §148-5-5.A.3.

**ACCESSORY DWELLING** — A dwelling unit located in a detached accessory structure on an owner-occupied property, including a guesthouse, tenant house, or guest cottage. See §148-5-5.A.3.

**ACCESSORY STRUCTURE** — A structure subordinate to a principal building and used in conjunction with and for purposes customarily incidental to those of the principal building or use, including an accessory dwelling.

**ACCESSORY USE** — A use which is customarily incidental to and subordinate to the principal use of a lot or structure, located on the same lot as the principal use or structure.

**ACCESSORY USE AS PRINCIPAL USE** — A use that is customarily incidental to and subordinate to the principal use of a lot or structure, located on a lot with no principal use and contiguous with the lot occupied by the principal use on another lot in the Town of Skaneateles.

**ACCESS STRIP** — A strip of land abutting a public or platted private road, providing access to one or more flag lots on a single or common driveway. (See § 148-6-6.)

**ADULT ENTERTAINMENT BUSINESS** — A bookstore, video store, nightclub, movie theater, retail store or other establishment which prominently features entertainment or materials with sexually explicit content. An establishment which sells such materials as an incidental part of its business or which presents such material or entertainment primarily as a form of legitimate artistic expression shall not be considered an adult entertainment business.

**AGRICULTURAL DATA STATEMENT** — An identification of farm operations within an agricultural district located within 500 feet of the boundary of property upon which a subdivision is proposed, as provided in § 305-a of the Agriculture and Markets Law. An agricultural data statement shall include the following information: the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains farm operations and is located within 500 feet of the boundary of the property upon which the project is proposed; and a Tax Map or other map showing the site of the proposed project relative to the

location of farm operations identified in the agricultural data statement.

**AGRICULTURE** — A farm, farm operation, or any other use of land and structures for the production, preservation, nonindustrial processing, storage and sale of agricultural commodities such as crops, plants, flowers, vines, trees, sod, shrubs, livestock, honey, Christmas trees, compost, poultry or dairy products, not including farms primarily for the disposal of offal or garbage. Agriculture includes commercial horse-boarding operations, as defined herein, and the raising or breeding of horses, as distinguished from the business use of teaching or training people to ride horses. (See "riding academy.") Agriculture also includes farm stands for the sale of items produced primarily on the premises, and may involve the sale of accessories, supplies, and incidental items not produced on the premises, provided that if more than 20% of the floor space is used for such sales, it will be considered a retail business rather than a farm stand.

**ALTERATION** — As applied to a structure, a change to or rearrangement of the structural parts, or any expansion thereof, including the extension of any side or by any increase in height, or the moving of such structure from one location to another. As applied to landforms, landscaping, and other site features, any modification to existing topography or vegetation, including clearing, grading, excavating, landscaping, and construction or placement of structures.

**ANTENNA** — A system of electrical conductors that transmit or receive radio frequency waves, including but not be limited to radio navigation, radio, television and microwave communications.

**APPLICANT** — Any person, corporation or other entity applying for a building permit, certificate of occupancy, special permit, site plan or subdivision approval, variance or zoning amendment.

**AUTOMOBILE SERVICE STATION** — Any area of land, including structures, that is used or designed to service motor vehicles by supplying fuel, oil, or other lubricants, and/or to provide other types of services such as maintenance, repair, body work, polishing, greasing, painting, or washing such motor vehicles. An establishment that satisfies this definition and also sells unrelated retail goods shall be considered to be both an automobile service station and a retail use.

**BED-AND-BREAKFAST** — A dwelling in which overnight accommodations, not exceeding five bedrooms, and breakfast are provided for transient guests for compensation in the primary residence of the owner/proprietor.

**BERM** — An earthen construct designed for use as a barrier, enclosure, partition, ledge, shelf or support.

**BOAT** - Any vessel, floating craft, or personal watercraft which utilizes a docking or mooring facility, including but not limited to canoes, rowboats, kayaks,



sailboards, aircraft and other small boats or personal watercraft as defined in New York State Navigation Law § 2 Subsection 30.

**BOAT HOIST** – Any seasonal or permanent mechanical device, the purpose of which is to remove the boat from the water for waterside storage.

**BOAT SLIP** - A waterside storage area adjoining or within any structure, boat hoist structure, boat station, boathouse, dock or pier, the purpose for which is the storage of a boat. A mooring buoy is considered one (1) boat slip for calculating the number of docking and mooring facilities.

**BOATHOUSE** — A permanent onshore structure that provides direct water or rail access for a boat to and from the water and used solely for the protection of boats from the weather and storage of boat supplies and equipment.

**BOAT STATION** - A permanent, open-sided structure, constructed in the water with a mechanical device, the purpose of which is to raise or lift a boat out of the water for waterside storage. A boat station is intended as a permanent boat hoist structure and shall not have a roof and/or walls.

**BUILDING** — A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, or property.

**BUILDING, PRINCIPAL** — A building or structure in which is conducted the main or principal use of the lot on which it is located.

**CALIPER** – The diameter of the trunk of a young tree measured 12 inches above ground level.

**CEMETERY** — Land used or intended to be used for the burial of dead human beings and dedicated for such purpose, including columbariums, mausoleums and mortuaries when operated as part of a cemetery and within its boundaries, but excluding crematoria.

**CHARITABLE ORGANIZATION** — A not-for-profit corporation or association organized for charitable purposes including but not limited to education, social welfare, environmental conservation, scientific research, cultural enrichment and the arts.

**CLEAR-CUTTING** — Any activity which significantly disturbs or removes substantially all of the trees, brush, grass or other vegetation on a site without disturbing the soil, excluding agriculture production, in an area exceeding 5,000 square feet in any one-year period. For slopes 30% or greater, see §148-5-4.1.2.

**CLUB, MEMBERSHIP** — Premises used by a not-for-profit organization catering

exclusively to members and their guests for social, recreational, athletic or similar purposes. A club which also falls within the definition of "recreational business" shall be deemed to be a recreational business.

**CODES ENFORCEMENT OFFICER/CODE ENFORCEMENT OFFICER** — The person appointed by the Town Board pursuant to Section 40-3B of the Town Code to administer and enforce this chapter.

**COMMERCIAL HORSE-BOARDING OPERATION** — An agricultural enterprise, consisting of at least seven acres and boarding at least 10 horses, regardless of ownership, that receives \$10,000 or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production, not including operations whose primary on site function is horse racing.

**COMMERCIALLY USABLE SPACE** — See "FLOOR SPACE."

**COMMON DRIVEWAY** — A driveway serving no more than four lots or a maximum of six dwelling units, owned in common or created by reciprocal easements.

**COMPLETE APPLICATION** — An application for a special permit, site plan or subdivision approval, zoning amendment or variance found by the reviewing board to satisfy all information requirements of this chapter and of the New York State Environmental Quality Review Act (SEQRA), for which either a negative declaration has been issued or a draft environmental impact statement has been accepted as satisfactory with respect to scope, content and accuracy pursuant to 6 NYCRR 617.3(c). This definition is based on SEQRA standards and is to be distinguished from an application that has sufficient information for a board to commence review.

**COMPREHENSIVE PLAN** — The Comprehensive Plan adopted by the Town Board for the future preservation and development of the Town of Skaneateles pursuant to § 272-a of the Town Law, including any part of such plan separately adopted and any amendment to such plan.

**CONDOMINIUM** — A system of ownership of real estate, including attached and detached residences, apartments, and non-residential spaces, established pursuant to the Condominium Act of the State of New York, in which the units are individually owned and common facilities and land are owned by a condominium association.

**CONFORMITY/CONFORMING** — Complying with the use, density, dimensional, and other standards of this chapter. See definitions of nonconforming use, nonconforming structure, and nonconforming lot.

**CONSERVATION EASEMENT** — A perpetual restriction on the use of land, created in accordance with the provisions of § 49, Title 3, of the Environmental Conservation Law or § 247 of the General Municipal Law, for the purposes of conservation of open space, agricultural land, and natural, cultural, historic, and scenic resources.

**CONSTRAINED LAND** – Wetlands, watercourses, pre-existing utility easements and rights-of-way, slopes exceeding 12% (slopes measured as 5,000 square feet or more of contiguous sloped area at least 10 feet in width) and one hundred year flood areas.

**CONTIGUOUS** – land neighboring a lot that is either adjacent and physically adjoining the lot or separated by ROW or Easement. Land separated by a ROW or Easement is considered contiguous when there is direct connection across the ROW/Easement by a line drawn perpendicular to the ROW/Easement centerline without passing through any other land under different ownership.

**CONVENIENCE STORE** — A retail use, intended to serve motorists and neighbors, limited to the sale of groceries, snack foods, beverages, toilet articles, sundries, magazines, newspapers and foods.

**CONVENTIONAL SUBDIVISION** — Subdivision that complies with the minimum lot size requirements listed in Article 4 without setting aside land as protected open space.

**CORNER LOT** — See "lot, corner."

**CRAFT WORKSHOP** — A place where artists, artisans, craftsmen and other skilled tradespeople produce and sell custom-made art or craft products including but not limited to baskets, cabinets, ceramics, clothing, flower arrangements, jewelry, metalwork, musical instruments, paintings, pottery, sculpture, toys and weaving. A craft workshop may involve the sale of accessories, supplies, and incidental items not produced on the premises, provided that if more than 20% of floor space is used for such sales, it will be considered a retail business.

**DOCK** — A floating or fixed structure projecting from or along the shore into the water of Skaneateles Lake, which may or may not have elements attached to the lake bottom, including floating docks, piers and wharves used as a berthing place for boats, as well as docks used for swimming, sitting, or other recreational purposes.. (See separate definitions: dock, permanent & dock, seasonal)

**DOCK, PERMANENT** - A dock (as defined) attached to the shore, lake bottom, or any structure that remains in the lake for more than eight months of the year, including floating docks, piers and wharves used as a berthing place for boats. An articulating dock, which is attached to the shore year-round and projects into the lake for only part of the year, shall be

deemed to be a permanent dock.

**DOCK, SEASONAL** - Any dock that is floating or is not a permanent dock, as defined herein.

**DRIVEWAY** — A private way providing vehicular access from a public or private road to a residence or to a commercial or noncommercial establishment.

**DWELLING** — A building designed or used as living quarters for one or more families.

**DWELLING, ATTACHED** – A building with common walls that separate individual dwelling units, such as rowhouses and townhouses.

**DWELLING, DETACHED** — A dwelling containing no more than two dwelling units.

**DWELLING, MULTIFAMILY** — A structure or structures containing three or more dwelling units on a lot.

**DWELLING, SINGLE-FAMILY** — A dwelling designed for the use of one household, including one or more persons living as a family.

**DWELLING, TWO-FAMILY** — A building containing two dwelling units.

**DWELLING UNIT** — A building or portion thereof providing space for sleeping, bathroom, and food preparation.

**EASEMENT** — A right of use over the real property of another, including a right, whether recorded or prescriptive, granted by a property owner to others, whether exclusively to an individual, or nonexclusively to several individuals or the public, to make limited use of all of the property subject to the easement for a specified purpose. Easements may be either affirmative to permit the easement holder to exercise a use or right or negative to prohibit the property subject to the easement from exercising a right or use.

**EROSION** — The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**EXCAVATION** — Any activity which moves or removes rock, gravel, sand, soil or other natural deposits. See §148-5-4.H. See also GRADING.

**FAMILY** — One person, or a group of two or more persons living and cooking together in the same dwelling unit as a single housekeeping entity. A roomer, boarder, lodger or occupant of supervised group quarters is not considered a

member of a family.

**FARM** — Any lot or parcel of land at least five acres in area which is used in conjunction with a farm operation as defined in this §148-12-2.

**FARM OPERATION** — As defined in New York Agriculture and Markets Law, Article 25AA, § 301(11), land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a commercial horse-boarding operation.

Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

**FENCE** — A structure or partition erected for the purpose of enclosing land, dividing land into distinct portions, or separating two contiguous lots.

**FILLING** — Any activity which deposits natural or artificial material in a manner that modifies the surface or subsurface conditions of land or watercourses.

**FLAG LOT** — A lot on which the buildable area is located generally to the rear of other lots having frontage on the same road, with access to the road provided by a strip of land that does not have the minimum road frontage ordinarily required in the zoning district. See §148-6-6.

**FLOOD HAZARD AREA/ONE-HUNDRED-YEAR FLOODPLAIN** — Land subject to a one-percent or greater chance of flooding in any given year.

**FLOOR SPACE** — The sum of the areas of habitable, potentially habitable, or commercially usable space on all floors of a structure, including the interior floor area of all rooms (including bathrooms and kitchens), closets, pantries, hallways that are part of a dwelling unit or inside a commercial building, walkout basements, attics with sufficient ceiling height to be used for habitation, excluding cellars or unfinished basements where less than four feet of the interior basement height is above grade level on all sides. Floor space shall be measured from exterior wall to exterior wall. In the case of a mixed use, it shall be measured from exterior wall to the center of the dividing walls.

- 1) **HABITABLE FLOOR SPACE** — Includes basements and attics within a building finished pursuant to the NYS Building and Fire Codes.
- 2) **POTENTIALLY HABITABLE FLOOR SPACE** — Includes currently unfinished and potentially accessible portions of basements and or attics with ceiling heights and floor areas satisfying the minimum standards of the NYS Building and Fire Codes. Ceiling height shall be measured from the floor to the lowest projection from the ceiling or floor framing above. Beam, girder or duct work intrusions consistent with the NYS Building and Fire Codes will be included in

the calculation of potentially habitable floor space.

- 3) **COMMERCIALLY USABLE SPACE** — Space designed for the storage or display of products and or access by customers or employees.

**FOOTPRINT** — Area of the ground or water surface covered by a structure, including the foundation and all areas enclosed by exterior walls and footings and covered by roofing.

**FRONT** — The side of a building or structure closest to a road or street. On a corner or a through lot, both sides of a building facing the street shall be considered the front.

**GAZEBO** — A freestanding unenclosed structure without solid walls and topped by a roof, but which shall not exceed 12 feet in height measured above finished grade.

**GLARE** — Spillover of artificial light beyond the area intended for illumination in a manner which either impairs vision or beams light onto adjoining properties or toward the sky.

**GRADING** — Any excavation, alteration of land contours, grubbing, filling or stockpiling of earth materials. See §148-5-4.H. See also **EXCAVATION**.

**HABITABLE FLOOR SPACE** — See “**FLOOR SPACE**.”

**HAZARDOUS MATERIAL** — Any substance listed in or exhibiting characteristics identified in either 6 NYCRR Part 371 or 6 NYCRR Part 597. Includes material which is a present or potential hazard to human health or the environment when improperly stored, transported, discarded or managed, including hydrocarbon products such as gasoline, oil and diesel fuel.

**HEALTH CARE FACILITY** — A hospital, nursing home, medical clinic or office building for doctors and other medical personnel, including any residential facility in which the residents receive medical, nursing, or other care meeting the needs of daily living because of the resident's state of health, including but not limited to assisted living, congregate care, and rehabilitation facilities.

**HEAVY INDUSTRY** — Manufacture, assembly, treatment or packaging of products that may emit objectionable levels of smoke, noise, dust, odor, glare or vibration beyond the property boundaries.

**HEDGE** — A row of closely planted shrubs or low-growing trees forming a fence or visual or physical boundary.

**HEIGHT** - The vertical distance of a structure measured to the highest point of the structure, the roof surface or to the roof ridge line from the average ground elevation for each side of the structure or from the Lake Line elevation (as

defined herein). The highest point of the roof surface excludes minor extensions on top of the roof such as decorative and mechanical elements, and deck railings.

**HOME OCCUPATION** — An occupation or business activity resulting in a product or service for financial gain, conducted wholly or partly in a dwelling unit or accessory structure. "Home occupation" includes, but is not limited to, the following: art studio, dressmaker, carpenter, electrician, plumber, professional office of a physician, dentist, lawyer, engineer, architect or accountant within a dwelling occupied by the same and teaching, with musical instruction limited to not more than three pupils at a time. "Home occupation" does not include, barbershop, beauty parlor, commercial stable, riding academy, kennel or restaurant.

**HOTEL** — See "lodging facility."

**IMPERMEABLE SURFACE** — Any roofed or other solid structure or material covering the ground through which water does not readily penetrate, including but not limited to concrete, oil and stone, tar or asphalt pavement, or compacted gravel. Regardless of the construction materials, any area which is used for driveway or parking purposes, including disturbed grass, ground cover, or dirt, shall be considered impermeable. A deck with spaced boards at least 1/8 inch apart, a swimming pool surface, and a patio with a permeable paving system shall not be considered impermeable. Any other surface which does not satisfy the definition of "PERMEABLE SURFACE" in this section shall be deemed to be an impermeable surface.

**IMPERMEABLE SURFACE COVERAGE** — The ratio between impermeable surface and total land area of a lot (excluding public road rights-of-way) expressed as the percentage of land covered by impermeable surfaces.

**INTERIOR ROAD** — A road constructed off of an existing public street that provides access to the interior of a parcel.

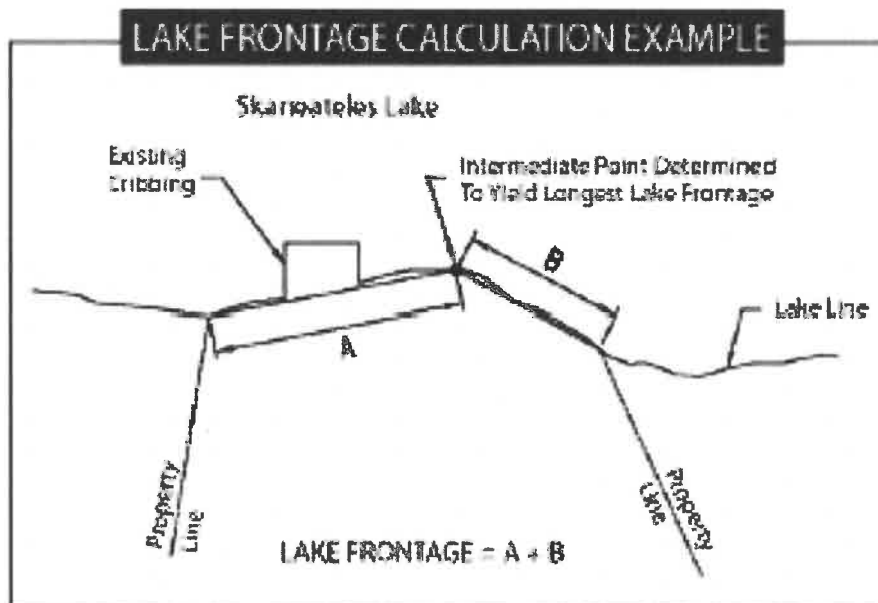
**INTERIOR VOLUME** — The sum of the volumes of all enclosed habitable spaces on all floors of a structure, including the interior volume of all rooms (including bathrooms and kitchens), closets, pantries, and hallways, excluding cellars or unfinished basements. Interior volume of habitable space is computed by multiplying the floor space of habitable areas by the height of the actual enclosed space, and is expressed in cubic feet.

**JUNK** — Any worn-out, cast-off, discarded or neglected article or material which is ready for destruction or has been collected or stored for salvage or conversion to another use. "Junk" does not include any article or material which unaltered or unchanged and without further reconditioning can be used for its original purposes as readily as when new or any article stored for restoration or display

as part of a bona fide hobby (such as antique automobiles, antique farm machinery, antique engines, special interest automobiles, etc.).

**KENNEL** — Any establishment including cages, dog runs, and structures wherein more than three dogs which are over six months old are kept for sale, boarding, care or breeding, for which a fee is charged.

**LAKE FRONTAGE** — The longest distance along two straight lines formed by connecting the lot corners where they intersect the Lake Line with an intermediate point (selected to maximize the length of the two lines) on the Lake Line, not including man-made projections into the lake. See diagram below.



**LAKE LINE/Mean High Water Mark**— The shoreline of Skaneateles Lake when the lake level is 865.02 feet (National Geodetic Vertical Datum 1929), the legally established elevation to which the City of Syracuse may raise the level of the lake. (The corresponding level using City of Syracuse datum is 863.27 feet.)

**LAKE/WATER RIGHTS** – the area beyond the established lake line of Skaneateles Lake where the adjoining lakeside property has riparian rights subject to the provisions of this Chapter and the applicable requirements of NYS and the City of Syracuse. The available or claimed area for water rights usage is determined by an extension of the side property lines from the land towards the center of the lake. (see 148-7-1K.1.b.iv Skaneateles Lake shoreline regulations; Applicability; Dimensional Limits; Setback)

**LAKE YARD** — See "yard, lake."

**LIGHT INDUSTRY** — Manufacture, assembly, treatment, or packaging of



products that does not emit objectionable levels of smoke, noise, dust, odor, glare, or vibration beyond the property boundaries.

**LODGING FACILITY** — Any hotel, motel, inn or other establishment, other than a bed-and-breakfast, providing sleeping accommodations for transient guests, with or without a dining room or restaurant.

**LOT, CORNER** — A lot at the junction of and abutting on two or more intersecting roads.

**LOT, FLAG** — See “Flag Lot.”

**LOT LINE** — A property line that bounds a lot as defined herein.

**LOT OF RECORD** — Any lot which has been established as such by plat, survey record or deed prior to the date of this chapter as shown on the records in the office of the Onondaga County Clerk.

**LOT/PARCEL** — An area of land with definite boundaries, all parts of which are owned by the same person(s) or entities, the boundaries of which were established either by the filing of an approved subdivision plat or by the recording of a deed prior to the adoption of Subdivision Law by the Town of Skaneateles on June 20, 1974. Where a parcel is divided by a public road, such division shall be deemed to create separate lots, even if such lots do not have individual tax parcel numbers or have been transferred in the same deed.

**LOT, THROUGH** — A lot which faces on two streets at opposite ends of the lot, which is not a corner lot.

**LOT COVERAGE, TOTAL** – Total lot coverage is the percentage of lot area occupied by permeable and impermeable surfaces, exclusive of public road rights-of-way and private road rights-of-way that were established by the Town Planning Board.

**LOT WIDTH** — The shortest distance between the side lot lines, measured at the front of the principal building, or at the back of the required front yard on an undeveloped lot.

**MAJOR PROJECT** — A proposed use that requires a special permit or site plan approval and that exceeds any of the thresholds for a minor project.

**MARINA** — A waterfront commercial facility for the docking, servicing, storage, sale of boat fuel and supplies, or rental or sale of boats or water-based aircraft.

**MARINE RAILWAY** — An immovable structure which may be wholly or partially submerged and constructed of parallel rails attached to cross-ties which support

a cradle to launch or haul a boat into or from Skaneateles Lake.

MEAN HIGH WATER MARK – see Lake Line.

MEDICAL OFFICE — Structure occupied principally by offices of physicians, dentists, or other medical service providers.

MEMBERSHIP CLUB — See "club, membership."

MINING — See "open pit mining."

MINOR PROJECT — A use or combination of uses on a lot or a series of adjoining lots under common ownership or control, that requires site plan review and that, over a fifteen-year period, does not exceed any of the following limits:

- 1) Construction of four dwelling units or a lodging facility with six bedrooms.
- 2) Construction of facilities or structures for a nonresidential use covering no more than 12,000 square feet of building footprint, except that for a recreational business use this threshold is 5,000 square feet.
- 3) Alteration of existing structures or expansion of such structure by no more than 12,000 square feet.
- 4) Conversion of existing structures totaling 12,000 square feet or less to another use.
- 5) Alteration of 43,560 square feet or less of land with or without structures, except that for a recreational business use this threshold is 15,000 square feet.

MIXED USE — Any combination of residential, commercial or industrial uses on the same lot or in the same building.

MOBILE HOME — A transportable living unit used or designed to be used year-round as a permanent residence and containing the same types of water supply, waste disposal and electrical systems as immobile housing. Motor homes designed to be driven or towed by an automobile or motor vehicle, units designed for use principally as a temporary residence, or prefabricated, modular or sectionalized houses transported to and completed on a site are not considered to be mobile homes.

MOBILE HOME COURT — Any court, park, place, lot or parcel under single ownership which is improved for the placement of two or more mobile homes to be used as permanent residences.

MOORING/MOORING BUOY - Moorings are waterside locations and devices where boats can be attached. Moorings can be floating objects anchored or tethered to the lake bottom that will hold a boat or other recreational item. "Weights" are part of the mooring system employed to rest on the bottom of the

lake with a buoy connection to the lake surface. All moorings shall comply with NYS State Law, NYSDEC and NYSOGS regulations, and any other jurisdictions having authority.

**MULTIFAMILY DWELLING** — See "dwelling, multifamily."

**NONCONFORMING LOT** — A lot of record which does not comply with the area, shape, frontage or locational provisions of this chapter for the district in which it is located.

**NONCONFORMING STRUCTURE** — A structure which does not satisfy the dimensional requirements of this chapter, including impermeable surface coverage requirements, for the district in which it is located, but which was not in violation of applicable requirements when constructed. For purposes of this definition, all impermeable surfaces are considered to be structures.

**NONCONFORMING USE** — Any use lawfully existing prior to and at the time of the adoption or amendment of this chapter or any preceding zoning law or ordinance, where such use has continued to exist but is not permitted by or does not conform to the permitted use provisions for the district in which it is located. A preexisting lawful use which is allowed only by special permit under this chapter shall be considered a conforming use.

**NONRESIDENTIAL** — Any use of land which is not covered by the definition of "Residential."

**OFFICE** — Space in a building used to provide professional services or to conduct activities of a business or not-for-profit organization, excluding retail, light industry, or craft workshop uses.

**OFFICIAL NEWSPAPER** — The newspaper or newspapers designated by the Town for the publication of official notices of meetings and public hearings.

**OPEN PIT MINING** — Use of a parcel of land or contiguous parcels of land, or portions thereof, for the purpose of extracting and selling stone, sand and/or gravel, not including the process of preparing land for construction of a structure for which a building permit has been issued. In no event shall "open pit mining" be construed to mean, be, or include natural gas and/or petroleum exploration activities or natural gas and/or petroleum extraction activities.

**OPEN SPACE** — An area of land not developed with structures and used for recreation, agriculture, landscaping, or forestry or left in its natural state.

**OPEN SPACE DEVELOPMENT** — Those methods of development of land that result in the creation of protected open space. See §148-6-1.

**OUTDOOR STORAGE** — Land used for the keeping of goods, wares, equipment

or supplies outside of a structure.

**PARKING SPACE**—The net area for parking one vehicle, usually equal to 180 square feet with dimensions of nine by twenty feet.

**PACKAGE SEWAGE TREATMENT PLANT** — A facility which treats sewage and discharges treated effluent into surface water or below the surface of the ground, excluding systems consisting of septic tanks and leach fields.

**PERGOLA** — An unenclosed structure with no roof, but topped by a framework of materials, comprised of support columns and horizontal crosspieces, which may only be covered by vines or other climbing plants, but which is not enclosed at the sides or ceiling by screen, fabric, or other material.

**PIER/WHARF** - Any structure extending out into or over the water built upon fill, which shall include, but shall not be limited to, earth, clay, silt, sand, gravel, stone, rock, shale, concrete (whole or fragmentary), ashes, cinders, slag, metal, whether or not enclosed, or containing crib, crib work of wood, timber, logs, concrete or metal, or bulkheads and cofferdams or timber sheeting, bracing and piling or steel sheet piling, or steel H piling, separate or in combination.

**PERMEABLE SURFACE COVERAGE** — Any man-made surface or structure which collects precipitation and filters or detains precipitation; or any surface which permits precipitation to flow through it, including, but not limited to, swimming pool surfaces, and other similar surfaces, and stones arranged decoratively for walkways, or otherwise defined and restricted in this chapter. A deck with spaced boards at least 1/8 inch apart shall be considered permeable.

**PERSON** — Any person, corporation, firm, partnership, association, company, institution or organization of any kind.

**PILINGS** - A column of material such as timber, steel, or concrete vertically placed within the ground or lakebed to support a structure or building.

**PLACE OF PUBLIC ASSEMBLY**— A building and/or outdoor space designed for the gathering of groups of people for the conduct of public business and/or for recreational, artistic, religious, charitable, or other group activities, such as a church, theater, lecture hall, concert hall, sports field with grandstand or bleachers, or indoor or outdoor arena.

**PLAT** — A map or plan submitted to the Planning Board as part of an application for subdivision approval. (See "subdivision law.")

**POTENTIALLY HABITABLE FLOOR SPACE** — See "FLOOR SPACE."

**PREMISES** — A lot, together with all the structures and uses thereon.

**PRINCIPAL BUILDING** — See "building, principal."

**PRINCIPAL USE** — The primary use of a lot. Where there is more than one use on a lot, the use occupying the most land area is deemed the principal use.

**PRIVATE RIGHT-OF-WAY** — Real property owned by a private individual or property owners' association for use as a road, street, crosswalk, walkway, or other access.

**PRIVATE ROAD** — A privately owned road held in common ownership or easement by a property owners' association.

**PROPERTY OWNERS' ASSOCIATION (POA)**— A not-for-profit entity composed of the owners of real property held in common ownership for mutual benefit under corporate bylaws or a contractual agreement.

**PROTECTED OPEN SPACE** — See also the definition of "Open Space" and §148-10-13.

**PUBLIC RIGHT-OF-WAY** — Real property owned by a state or local government or property dedicated by the landowner for use as a road, including a public or private road, street, crosswalk, walkway, utility line or other access.

**PUBLIC WATER AND SEWER** — Central or communal water supply systems and central or communal sewage collection and/or treatment systems approved and accepted by the Town Board or by any other appropriate county or state authority for operation and maintenance, including sewage disposal systems involving common septic tanks or leach fields or other forms of decentralized sewage treatment managed by the Town or by an improvement district or sewage disposal management district.

**RAFTS, INFLATABLES, FLOATATION DEVICES** - Any device or equipment based on its materials and design is a temporary object used within the water that is secured either to the land, a dock or mooring. Unsecured objects are considered vessels and are to be secured daily or removed from the water daily. Examples include inflatable or rubber rafts, wood or plastic rafts assembled upon sealed air-filled drums. See also temporary definition.

**RECREATIONAL BUSINESS** — A business and/or club which, for compensation and/or dues, offers recreational services including but not limited to marinas, boatyards, ski resorts, public stables, golf courses and driving ranges, miniature golf, movie theaters and other places of public or private entertainment.

**REDEVELOP/REDEVELOPMENT** — Any change, modification, rehabilitation, or

alteration of a preexisting and nonconforming lot, whose total calculation of impermeable surface currently exceeds the maximum permitted by this chapter, and which expands or alters the existing footprint of structure located thereon

**RELIGIOUS** — Use of land by a church, synagogue or other place of religious worship, as well as a monastery or other place of religious retreat.

**REQUIRED YARD** — That portion of any yard required to satisfy minimum yard setbacks. No part of such yard can be included as part of a yard required for structures on another lot.

**RESIDENTIAL** — A use of land with structures in which people live and sleep overnight on a regular basis.

**RETAIL/RETAIL BUSINESS** — An establishment selling goods directly to customers for personal and household consumption, including but not limited to an appliance store, bakery, convenience store, delicatessen, drugstore, florist, grocer, hardware store, liquor store, newsstand, shoe store, stationery store and variety store.

**RIDING ACADEMY** — A non-agricultural establishment where one or more of the following occurs:

- 1) More than four horses are kept for riding, driving, or horseback riding lessons, for compensation, or incidental to the operation of any club, association, resort, riding school, ranch, or similar establishment;
- 2) Public riding events or horse shows are held for which an entrance fee is charged; or
- 3) An indoor riding ring is used for giving horseback riding lessons or holding events or shows.

**ROAD FRONTAGE** — The distance along a street line measured at the front of a lot.

**ROAD/STREET** — A public or private way for pedestrian and vehicular traffic, including avenue, lane, highway or other way, excluding a driveway or common driveway.

**SCREEN/SCREENING** — The location of structures in such a manner that they are not visible from a public road or any other public place during the summer months and no more than partially visible in winter. Objects or structures may be screened by topography, vegetation or other structures that are not themselves required to be screened.

**SEASONAL** — Any short-term use, activity or structure, which is designed, and

used primarily during a limited portion of the year or during specific seasons. These seasonal elements can occur during any season but most commonly occur during the summer months. Seasonal structures are not designed or constructed for year-round use or occupancy and are or may be annually dismantled, removed, or relocated and stored. Seasonal structures lack essential equipment and structural elements such as heating, sanitary facilities, plumbing, window screening, or insulation necessary to support long-term use or occupancy. The existence or presence, use or occupancy of any structure for more than eight months of the year shall be considered a permanent year-round use or structure and subject to the applicable provisions of the Town Code

**SERVICE BUSINESS** — A business or nonprofit organization that provides services directly to the customers, either on or off the premises, including but not limited to building, electrical, plumbing and landscape contracting, arts instruction or studio, business and educational services, catering, health club, house cleaning services, locksmith, office support services, furniture repair and restoration services, and tailoring. "Service business" does not include retail business, restaurants, warehouses or other uses separately listed on the use tables in Article 4. A service business may include the sale of accessories, supplies, and incidental items, provided that if more than 20% of the floor space is used for such sales, it will also be considered a retail business.

**SETBACK** — The distance measured in feet along a line drawn perpendicular from a property line or from an over-water extension of a property line towards the interior of a lot and establishes the minimum distance for certain structures or improvements from the property line and the minimum depth of required yard areas.

**SEWAGE TREATMENT FACILITY** — Any package sewage treatment plant, or any other public or private central or communal sewage collection and/or treatment system, including systems involving common septic tanks or leach fields or other forms of decentralized sewage treatment managed privately or by the Town or an improvement district or sewage disposal management district.

**SHARED LAKEFRONT RECREATION** — Use of a lot or portion thereof for recreational purposes to permit access to Skaneateles Lake. Shared access shall be created by means of a property owners' association agreement, license, right-of-way, or easements provided such use complies with §148-7-1.K.3. This definition does not apply to recreational use of a lakefront parcel by one owner and their guests.

**SHORELINE STRUCTURE, ONSHORE – OFFSHORE**— An allowed **ONSHORE** structure is an accessory structure located within 50 feet of Skaneateles Lake Line or within the 100-year Flood Hazard Area around Skaneateles Lake. Examples include but not limited to dock, patio, storage building.

An allowed **OFFSHORE** structure is an accessory structure located within or over the water, beyond the lake line and within 1500 ft. of the Lake Line.

Examples include but not limited to dock, boat house, floating pier, mooring. See §148-7-1.K.

**SHORELINE STRUCTURE, NONCONFORMING** - a legally existing permanent dock, boat house or similar permanent structure as defined herein, previously issued an approval permit by an authorized government agency such as: NYS DEC, NYS OGS, City of Syracuse or the US Corps of Engineers but which may not conform to the dimensional, location or other standards or requirements of this Chapter.

**SIGN** — Any material, including fabric or plastic, structure or part thereof or any device attached to a structure or painted or represented thereon, composed of or upon which is placed lettered, pictorial or other matter for visual communication, when used or located out-of-doors or on or near the exterior of any building for the display of any advertisement, notice, directional matter, information or name. A sign readable from two sides and with parallel faces is considered one sign. For definitions of sign types and regulation of signs, see Article 9.

**SINGLE-FAMILY DWELLING** — See "dwelling, single-family."

**SITE PLAN** — A map or drawing prepared as part of a development or land use application showing existing conditions and the proposed layout of proposed changes to a specific site. See §148-10-8.

**SITE PLAN APPROVAL**— Discretionary review and determination by the Planning Board of an application for land development or site alteration that, due to site conditions, scale and/or design characteristics, may have adverse impacts on a site or important features in its vicinity. See §§148-10-5 and 10-6. Site plan approval focuses on the design and layout of proposal for an allowed use.

#### **SOLAR ENERGY SYSTEM TYPES:**

- 1) **On-site — Individual System:** solar collectors producing electric power directly for the on-site end-users (such as individual residential dwellings or businesses). The solar collectors may be BIPV, building-mounted or ground-mounted and are subject to applicable standards of this code. On-site systems are considered accessory to the function of the principal use.
- 2) **Off-site — Community System:** solar collectors producing electric power via a public utility network primarily to off-site end-users (such as individual residential dwellings or businesses).
- 3) **Utility Facility** — solar collectors operated by a public utility located on land primarily used to produce and transmit electric power for general off-site energy consumption. A public utility is an entity which operates as a monopoly, and whose rate charges to customers are established by NYS



Public Service Commission.

#### SOLAR ENERGY INSTALLATION TYPES:

- 1) **Building Integrated Photovoltaic (BIPV)** — BIPV is an alternative to traditional roof or façade materials (e.g. wood, asphalt, metal, brick) historically used to cover, enclose, protect and decorate structures. BIPV adds the solar energy power generation function to the protective and decorative functions of traditional material and is integral to a building's structure, not altering the relief of the structure. Examples of BIPV may be roof shingles or tiles, siding, paneling, laminates, or glass that integrate photovoltaic function.
- 2) **Building Mounted** — Solar panels attached to a roof or building façade and subject to the applicable standards of this code [per §148-5-8.C. & D] (see also definition Solar Energy Materials & Equipment: Solar Panel).
- 3) **Ground Mounted** — Solar panels installed in an array located directly on the ground and anchored to the ground via a pole or similar mounting system, detached from any other structure (see also definition Solar Energy Materials & Equipment: Solar Panel & Solar Array).

**SOLAR ENERGY MATERIALS & EQUIPMENT:** Solar collectors, controls, energy storage devices, heat pumps, heat exchangers, and other materials, as well as the hardware or equipment necessary to collect solar radiation, convert it into another form of energy, store the collected energy, protect it from unnecessary dissipation, and distribute it. Solar energy materials and equipment include solar thermal, solar photovoltaic, and equipment used to concentrate solar energy through the use of a mirror and/or lens. Solar equipment is further defined as follows:

- 1) **Solar Collector** — a single solar photovoltaic cell or a solar hot air or water collector device that converts the energy from solar radiation into electricity or the transfer of stored heat.
- 2) **Solar Panel** — a series of solar collectors manufactured into a single unit for installation on a site. A solar panel is typically rectangular in shape and is either attached to a building wall or roof with connecting brackets or installed on the ground with posts.
- 3) **Solar Array** — is a grouping of solar panels placed upon a structure or upon the ground and designed to produce a larger amount of solar generated energy than a single solar panel.
- 4) **Other misc. equipment** — exterior equip placed on pads (generator, battery systems, etc.) are considered regulated structures for impermeable surface coverage if they individually exceed 16 sq. ft.

**SPECIAL PERMIT** — Discretionary review and determination by the Planning Board of a land use proposal that may have adverse impacts on its surroundings and the community. Special permit approval focuses on the appropriateness of the use in a particular location.

**STORAGE BUILDING** — A principal or accessory building, not exceeding a footprint of 2000 square feet, used to store materials, goods, equipment, vehicles, boats, or other items for use by a person or business.

**STRUCTURE** — A static construction of building materials set upon or affixed to the ground, upon another structure; upon an ONSHORE or OFFSHORE shoreline structure, includes but is not limited to a building, dock, wharf or pier, dam, display stand, gasoline pump, installed mobile home or trailer, reviewing stand, shed, shelter, sign, stadium, storage bin, tennis court, driveway, parking area, hot tub, fence or wall, bridge, and including structures enclosed by a screen, fabric or other covering or surface materials lacking structural support capability. (see also – separate definitions for seasonal and temporary).

**Swim Floats**—Seasonal platforms, fastened to the lake bottom, whose purpose is to provide deeper water access for swimming and diving.

**TELECOMMUNICATIONS ACCESSORY FACILITY** — A facility or structure which supports a telecommunications tower, is subordinate in area, extent and purpose to the tower, and is located on the same lot. Examples of such facilities include transmission equipment and storage and equipment sheds or structures.

**TELECOMMUNICATIONS TOWER** — A free-standing structure, the principal purpose of which the installation of transmitting and/or receiving antenna(s).

**TEMPORARY** – An interim, time-limited activity, use, structure, or modification that may occur within a site or in support of changes to the allowed permanent uses or structures within the same site. Any temporary changes are removed upon the conclusion of a specified time-period, or upon accomplishment of such permanent changes, and the site is restored to its prior or approved new conditions. Examples include a show, event, or special exhibition; also include the storage of construction equipment, temporary fencing or driveways, and top-soil storage. Annually repeating activities may be considered temporary if they are otherwise allowed by the Zoning Code or other applicable Town Codes, and meet this definition of temporary such as: holiday or garage sales, arts or music festivals, or fund-raisers. No single-occurrence or repeating use/event shall exceed 30 days duration.

**THIS CHAPTER** — See "Zoning Law."

**TOWN ENGINEER** — The engineer retained by the Town Board or the Planning Board or other professional engineer qualified under the New York State Education Law and authorized by the Town Board to perform work for the Town.

**TOWN LAW** — The Town Law of the State of New York, Chapter 62 of the Consolidated Laws.

**TRUCK TERMINAL** — Any location where freight originates, terminates or is handled in the transportation process or where carriers maintain operating facilities, excluding the premises of shippers or receivers of freight.

**TWO-FAMILY DWELLING** — See "dwelling, two-family."

**UNCONSTRAINED LAND** — Land other than constrained land as defined herein.

**USE** — The purpose for which any premises may be arranged, designed, intended, maintained or occupied, or any occupation, activity or operation conducted or intended to be conducted on a premises.

**USE, ACCESSORY** — See "accessory use."

**UTILITY FACILITY** — A use operated by a public utility, and which provides cable television, electric, gas, steam, telephone service, water, or sewerage directly to the general public, including electric substations. A public utility is an entity which operates as a regulated monopoly, and whose rates to customers are established by a utility commission. Connections from utility facilities in the homes and businesses of customers of the public utility are considered accessory uses.

**VARIANCE, AREA** — The authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

**VARIANCE, USE** — The authorization by the Zoning Board of Appeals for the use of land for a purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations. An increase in density or intensity of use shall be deemed to require a use variance if such increase is not allowed by right or by special permit.

**VISIBLE/VISIBILITY** — Able to be seen by a person with normal vision on a clear day when there is no foliage on deciduous trees.

**WALL** — An upright structure of stone, brick, rock or similar material serving to enclose, protect, divide or partition an area of land.

**WAREHOUSE** — A building that complies with the definition of "Storage Building" except that it has a footprint greater than 2000 sq. ft. in which

materials, goods or equipment are stored, including wholesale businesses and buildings that are used to store materials for personal use.

**WATERCOURSE** — Waters or waters of the state as defined in § 17-0105 of the Environmental Conservation Law, including Skaneateles Lake, and further described as being annual or perennial, influent or effluent, continuously or intermittently flowing, including those classified in 6 NYCRR Part 896, that are capable of and do, under normal conditions, carry water in a manner described above. The banks of such watercourse shall be identifiable, i.e., defined bed, banks, gullies, ravines, etc. Road ditches, stormwater management facilities and shallow land depressions generally referred to as grassed waterways, swales, etc., that carry water only immediately (a few to several hours) after a runoff-producing event are not considered watercourses. Where there is a question of whether a watercourse exists and where the top of the bank is located, the reviewing board shall conduct a site evaluation to determine whether or not a particular channel is a watercourse and where the top of the bank is located. Its determination shall be final. For purposes of determining setbacks and required buffers, the boundary of the watercourse shall be measured from the Lake Line or the top of the bank closest to construction.

**WATERSHED (Skaneateles and Owasco Lakes)** — That land (and water surface area) which contributes water to a lake and/or watercourse.

**WETLAND** — An area of land that is characterized by hydrophytic vegetation, saturated soils or periodic inundation. (See § 148-5-4.1)

**WIND ENERGY CONVERSION SYSTEM** — See §148-5-7.

**YARD** — An open space on the same lot with a structure.

**YARD, FRONT** — An open space extending across the full width of the lot between the principal building and the street line.

**YARD, LAKE** — An open space extending across the full width of the lot between the Lake Line and the line formed by the lake yard setback..

**YARD, REAR** — An open space extending across the full width of the lot between the rear lot line and the rear of the principal building nearest the rear lot

**YARD, REQUIRED** — That portion of any yard required to satisfy minimum yard setbacks. No part of such yard can be included as part of a yard required for structures on another lot.

**YARD, SIDE** — An open space on the same lot with a principal building lying between the principal building and each sideline of the lot, extending from the front lot line to the rear lot line.

**ZONING LAW/THIS CHAPTER — The officially adopted Zoning Law of the Town of Skaneateles, Chapter 148 of the Code of the Code of the Town of Skaneateles, together with all amendments thereto.**

DRAFT