

Town Board Meeting
August 15, 2022
Zoom: Meeting ID: 886 3284 0985 Password: 492643

Present: Supervisor Aaron, Councilor Tucker, Councilor Legg, Councilor Dove, Attorney Smith
Absent: Councilor Alexander

Also, Present: Paul Plumber, Scott Brothers.

Also, Present via Zoom: Karen Barkdull, Brian Buff, Chris Buff, Jason Gabak (Skaneateles Press), Keri Fey, Sue Murphy, Jane Walsh, Terry Landers.

Agricultural Environmental Management-Leopold Conservation Award – Greenfield Farms: Supervisor Aaron announced that the Greenfield Farms were the winner of the annual New York Agricultural Environmental Management-Leopold Conservation Award. According to the State Department of Agriculture and Markets, the award honors a farm for its extraordinary efforts to promote and protect the environment through the preservation of soil and water quality while ensuring farm viability for future generations.

The 1,400-acre farm was recognized for its soil erosion prevention efforts and the changes the Greenfield family has made over the years to be good environmental stewards, such as planting cover crops and ditching their mold-board plow to adopt no-till drill technology.

Jim Greenfield was one of the first farmers who participated in the Skaneateles Lake Watershed Agricultural Program, an initiative that was an alternative to constructing an expensive water treatment plant. Skaneateles Lake supplies drinking water to the city of Syracuse and other municipalities in Onondaga County.

The Board showed the video presentation:

<https://vimeo.com/hollingsworthproductions/review/731050034/45a3dc6314>.

The Town Board agreed to post the video link on the Town of Skaneateles website.

Minutes of August 1, 2022, and August 3, 2022: On a motion of Councilor Dove, seconded by Councilor Tucker, and with a (4-0) affirmation, of the Town Board, minutes of August 1, 2022, and August 3, 2022, were accept as presented.

MWB Family Zone Change Request – Application Withdrawn: Supervisor Aaron announced the MWB Family, LLC (“MWB”) had voluntarily withdrawn its request to the Town Board to amend the zoning of the property located at 1326 New Seneca Turnpike, commonly known as the “LAB Building”. MWB has instead applied to the Planning Board for a special use permit to facilitate the re-development of the LAB building in a manner consistent with the current zoning regulations applicable to the Rural Residential District. Supervisor Aaron stated she applauded the Bitz family for making this hard decision. Letters were sent to the neighborhood with this updated information announcing the application had been withdrawn and the public hearing was cancelled.

Request for the Finger Lakes SPCA to host their annual Howl-O-Ween event at the Austin Pavilion October 8th & 9th : Parks Director Sue Murphy stated she had received a request from the Finger Lakes SPCA to hold their annual Howl-O-Ween event at the Austin Pavilion October 8th or 9th. They are still determining which date will be most ideal. The anticipated time of the event will run from 9:00 a.m.- 3:00 p.m. with participants expected from 11:00 a.m.-2:00 pm. The event will benefit the SPCA, located in Auburn. This is the third year hosting the event at Austin Park and they are pleased to continue to bring a family and pet friendly event to our community.

Participants would gather at Austin Park and walk through the village on a predetermined route. All animals will be required to be on a leash as to adhere to the park requirements. They plan to have a few tables set up with raffle baskets, photo booth, and information about the shelter.

They are also requesting to waive the pavilion fee for the annual event.

On a motion of Councilor Legg, seconded by Councilor Dove and with unanimous (4-0) affirmation of the Town Board, the Board authorized the use of the Austin Pavilion for the Finger Lakes SPCA annual Howl-O-Ween event at the Austin Pavilion October 8th and 9th”, and waive the rental fee for the facility.

Request for Boy Scout Event at Austin Pavilion Sunday September 11, 2022: Parks Director Sue Murphy stated she had received a request from request for a Scouting Event at the Austin Pavilion from Scout Master Ron Fey. They are looking to hold a Recruitment Event on Sunday, September 11th from 9:00 a.m. to 2:00 p.m. They would like to use the Old Rink for indoor activities, and the surrounding area around the building for Outdoor Activities. They would not need to use the bathrooms or indoor room of the Arena. The Troop and Pack are covered under the Council Insurance Policy and a certificate of insurance would be provided to the Town.

On a motion of Councilor Tucker, seconded by Councilor Dove and with unanimous (4-0) affirmation of the Town Board, the Board authorized the use of the Austin Pavilion for September 11, 2022, for the Boy Scout event at the Austin Pavilion, and waive the rental fee for the facility.

Public Hearing continuation: 6:45 p.m. Local Law B of 2022 “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries” : supervisor Aaron announced the Board agreed at the August 1st public hearing for Local Law B of 2022 “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries” was held and the Board agreed to keep the hearing open for any comments. The Town Board completed the SEQRA process at the August 1, 2022, Town Board meeting and declared the proposed local law to have a “No significant adverse impacts on the environment, and therefore an environmental impact statement need not be prepared. Accordingly, a negative declaration was issued.”

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Board reopened the Public Hearing for Local Law B of 2022 “A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries.

Supervisor Aaron asked if anyone would like to speak regarding the proposed local law.

No one commented.

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Board reopened the Public Hearing for Local Law B of 2022 "A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries.

Attorney Smith stated the Board had met all the legal requirements.

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Board authorized the following resolution as presented:

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF SKANEATELES
Proposed Zoning Law Amendment Related to Cannabis Retail Dispensaries**

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Board Member Legg has introduced for consideration Local Law No. 3 of 2022 entitled "A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries Within the Town of Skaneateles" (the "Proposed Local Law"); and

WHEREAS, the purpose of the Proposed Local Law is to amend Sections 148-4-4 and 148-12-2, and add Section 148-5-9 to the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the "Zoning Law"), related to the regulation of the time, place, and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles; and

WHEREAS, New York State Cannabis Law § 131 expressly authorizes the Town Board to adopt reasonable regulations governing the time, place, and manner of the operation of licensed adult-use cannabis retail dispensaries; 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; and

WHEREAS, on June 6, 2022, the Town Board adopted a resolution preliminary classifying the Proposed Local Law as a Type 1 Action under SEQRA and declared its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law; and

WHEREAS, Part 1 of the Full Environmental Assessment Form and the Proposed Local Law was sent to all interested agencies for comment and the Town Board received no objection to its serving as lead agency; and

WHEREAS, the Town Board has met its obligation to refer the Proposed Local Law to Onondaga County Planning for its review pursuant to General Municipal Law Section 239; and

WHEREAS, the Town Board has met its obligation to 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; and

WHEREAS, the Town Board held a duly noticed public hearing on August 1, 2022, to hear all persons interested in the Proposed Local Law and to consider the adoption of the Proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby confirms and adopts the following conclusions as SEQRA lead agency:

1. The Town Board hereby confirms its preliminary classification of the Proposed Local Law as a Type 1 Action under SEQRA (the “Action”).
2. The following impacts are expected to result from the Action, when compared against the criteria in Section 617.7 (c) of the Regulations:
 - a. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.
 - b. There will not be large quantities of vegetation or fauna removed or destroyed as the result of the Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the Action; there will not be a significant impact upon habitat areas; there are no substantial adverse impacts on any known threatened or endangered species of animal or plant, or the habitat of such species; nor are there any other significant adverse impacts to natural resources.
 - c. There are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action.
 - d. The Action will not result in the creation of a material conflict with the Town’s current plans or goals as officially approved or adopted. To the contrary, the Proposed Local Law is meant to further these goals.
 - e. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.
The Proposed Local Law is intended to preserve community character and aesthetic resources by establishing reasonable regulations governing the time, place, and manner of the operation of licensed Cannabis Retail Dispensaries.
 - f. There will not be an increase in the use of either the quantity or type of energy resulting from the Action.
 - g. There will not be any hazard created to human health.
 - h. There will not be an irreversible change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland.
 - i. The Action will not encourage or attract large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the Action.
 - j. There will not be created a material demand for other Actions that would result in one of the above consequences.
 - k. There will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact.
 - l. There are not two or more related Actions which would have a significant impact on the environment.
3. Based upon the information and analysis above, the Action **WILL NOT** result in any significant adverse environmental impacts.
4. The information available concerning the Action was sufficient for the Town Board to

make its determination.

5. The Town hereby approves and adopts the attached Full Environmental Assessment Form for the Action (Parts 1, 2, and 3).
6. A Determination of Non-Significance on the proposed Action is hereby issued.
7. The preparation of an environmental impact statement for the Action shall not be required.
8. The Town Supervisor is hereby directed to sign the Full Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Town Board's determination.
9. This Determination of Non-Significance has been prepared in accordance with SEQRA and the Town Clerk is hereby directed to file, publish, and distribute a notice of this Negative Declaration pursuant to 6 NYCRR § 617.12(a)(1).

BE IT FURTHER RESOLVED that the Town Board hereby adopts the Proposed Local Law, and that henceforth it shall be designated Local Law No. 3 of 2022; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to file the Proposed Local Law with the Secretary of State pursuant to Municipal Home Rule Law Section 27 and to make any publications required by law; and

BE IT FURTHER RESOLVED that the Proposed Local Law shall take effect immediately upon filing with the Secretary of State.

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

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

The resolution was thereupon declared duly adopted.

GAR Data Collection Presentation: Supervisor Aaron introduced David Barnett of GAR Associates. Mr. Barnett reviewed the status of the property data collection they had been working on for the Town of Skaneateles.

He stated they had completed the residential properties and are completing the data entry into the State data base. They are finishing the commercial properties and verifying the information.

They are two options in regard to a populated survey. They could do an online assessment website for the property owners to review and make any changes electronically or a mailing with a paper survey. The Town opted for a mailing of a paper survey.

This survey will indicate the style of the home, the inventory, and any improvements. We would be asking property owners to review the information and if there are discrepancies there would be instructions to get the information to GAR.

This mailing would be going out at the end of August. Prior to the mailing there would be a press release to let property owners know it is coming.

Typically, there are minor changes, not a huge effect on the value. Value related items would require additional review. This collection had been done only by the exterior of the properties. We will give a two-week period to get the changes to us. There will be a toll-free number property owners can call with any questions.

Supervisor Aaron asked what they do with letters that are returned due to incorrect addresses. Mr. Barnett stated they would be returned to the Town, and we would investigate the returns and try to get a correct address and resend the notices. We take all the addresses from the State RPS data base. We would send the press release and a draft survey to the Town Board before anything goes to the public.

Councilor Dove suggested they send the notices after the Labor Day holiday and give till the end of September for the public to respond. The Board agreed.

Mr. Barnett stated they would be completing the pictures during the Fall. All pictures would be taken from the right of ways.

Councilor Legg asked if the State RPS system update the Onondaga County assessment data base? Mr. Barnett stated yes, the county site does update from the RPS site. The frequency of the updates should be discussed directly with the County.

Supervisor Aaron thanked Mr. Barnett for his presentation.

Planning Board Lead Agency Request – Skaneateles Solar PV, LLC : Supervisor Aaron stated the Board was in receipt of a request from the Planning Board requesting lead agency status under SEQRA for an application for a 4.7-megawatt solar energy system from Brewster and Deann Sears at 2825 West Lake Road in the Town of Skaneateles, tax map #051-02-17. This would occupy approximately 28 acres of an 87-acre parcel. Only 25% of a parcel can be used as solar according to the Town Zoning Law and this is within the percentage allowed. This parcel is currently farmed with field crops.

Supervisor Aaron stated the Planning Board does an outstanding job reviewing these major special permits.

The Board reviewed the project.

On a motion of Councilor Tucker, seconded by Councilor Legg and with unanimous (4-0) affirmation of the Town Board, the Board authorized the Town of Skaneateles Planning Board to act as lead agency under SEQRA for the Skaneateles Solar PV project located on property owned by Brewster and Deann Sears, 2825 West Lake Road, tax map #051-02-17.

Codes Office Vehicle Bid Opening: supervisor Aaron stated a bid opening was held today for a vehicle for the Codes Officer. The following bid were received:

Dave Pirro Ford: Dave Pirro Ford submitted the following bid for a 2019 Ford Escape 4-wheel Drive SUV:

2019 Ford Escape: \$25,991.00

The 2019 Ford Escape has 31,140 miles. The bid included a 5 year or 75,000-mile extended warranty. Pirro Ford would provide new front and rear brakes, new tires, alignment, inspection, title, and registration included in the bid price.

Attorney Smith stated this is not the usual way the Town purchases vehicles. Usually, the Town would purchase new vehicles under the State bid process. Due to the shortage of vehicles in the country at this time new vehicles under state bid are not available for at least 2 years. With the condition of the current Codes Office vehicle the Town Board has chosen to go out to bid for a used vehicle pursuant to Section 103 of the General Municipal Law.

Councilor Tucker asked if it included 4 new tires. The bid did not state it included all 4 tires. The Board agreed to add this condition.

On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Board authorized the purchase of a 2019 Ford Escape from Pirro Ford with a 5 year or 75,000-mile extended warranty and the addition of 4 new tires not to exceed \$28,000.

Onondaga County 239 Referral Exemption: Supervisor Aaron stated the Board was in receipt of a request from Onondaga County Planning Board to sign an agreement to expand the list of actions to be fully exempt from County Planning review. The following actions would be exempt from the County Planning Board review:

Area Variances solely seeking relief for:

1. Residential front, side, or rear yard setbacks or lot depth.
2. Height of any buildings.
3. Residential accessory structures.
4. Reductions in the number of parking spaces. Subdivisions, that solely consider:
5. Creation of up to 3 parcels.
6. Combination of lots.
7. Lot line adjustments.

Special Permits, that solely consider:

1. Co-location of telecommunication equipment and accessories on existing towers and structures.
2. Fa9ade or interior/exterior commercial building modifications.
3. A change of tenant in a commercial or mixed-use building.
4. Residential accessory structures.

5. On-premises signs.

Site Plan Reviews or Project Site Reviews, that **solely** consider:

1. Co-location of telecommunication equipment and accessories on existing towers and structures.
2. Façade or interior/exterior commercial building modifications.
3. A change of tenant in an existing commercial or mixed-use building.
4. Residential accessory structures.
5. On-premises signs.

Zoning Actions or Amendments, involving:

1. Administration and fees.
2. Interpretations of language.

Supervisor Aaron stated this was referred to the Planning and Zoning Boards for review and comment and both Boards had no comments or problems with the agreement.

On a motion of Councilor Tucker, seconded by Councilor Legg and with unanimous (4-0) affirmation of the Town Board, the Board authorized Supervisor Aaron to sign the agreement with Onondaga County Planning Board authorizing exemptions from the County Planning Board review as presented.

Town of Skaneateles Committee Policy and Procedure: Supervisor Aaron stated the Board is in receipt of a draft “Committee Policy and Procedures”. This draft document established the Committees’ and Boards’ responsibilities. This policy should make it easier to recognize their responsibilities.

The Board agreed to review the policy and have it back on the agenda for September 8, 2022.

Town Hall Repairs – Foundation: Supervisor Aaron stated the Budget Officer Winkelman had been working on getting quotes for the Town Hall foundation repairs. We received funding of \$5000 from Onondaga County to repair the drainage and foundation at the Town Hall. Originally the plan was to remove the planters to help with the foundation. But after having contractors review the building the planters will not need to be reviewed. The walls of the crawl space would need to be encapsulated to protect the foundation.

The following report and quotes were received:

West end of basement needs to be encapsulated. Condition the space to allow for improved air quality and heating throughout the building.

Damage to North -East corner of building. Cause – Drainage from down spout. After inspecting foundation, only that corner of the building has been compromised.

This job was put out for proposals as a basement encapsulation / foundation repair.

All parties knew that it was a prevailing wage job for the Town.

Mid – State Basement Authority - \$19,221.00 - Encapsulation - \$13,573.00
1143 Elmira Road Foundation - \$ 5,648.00
Newfield, NY 14867

Woodford Bros, Foundations - \$ 22,178.92
6500 NY 80
Apulia Station, NY 13020

Healthy Basement Contractor - \$ 5,900 - Encapsulation - \$5,900
Does not have the manpower at this time to do the foundation repair.

Supervisor Aaron stated Budget Officer Winkelman recommended the low bid from Mid-State Basement Authority for \$19,221.

Attorney Smith stated this follows the Town of Skaneateles Procurement Policy. Three quotes were received.

On a motion of Councilor Tucker, seconded by Councilor Legg and with unanimous (4-0) affirmation of the Town Board, the Board approved the contract with Mid-State Basement Authority for \$19,221 to encapsulate the Town Hall basement/crawl space.

Schedule Town of Skaneateles Liability Insurance Bid Opening October 7, 2022, at 10:00a.m.: Supervisor Aaron stated the Town would be going out to bid for the Town’s liability insurance policy.

On a motion of Councilor Dove, seconded by Councilor Legg and with unanimous (4-0) affirmation of the Town Board, the Board scheduled a bid opening for October 7, 2022, at 10: a.m. for the Town of Skaneateles liability insurance policy.

Schedule Town Board Budget Meetings: Supervisor Aaron state the Board need to schedule additional budget meetings to review and prepare the 2023 budget.

On a motion of Councilor Legg, seconded by Councilor Dove and with unanimous (4-0) affirmation of the Town Board, the Board scheduled the following budget meetings:

August 24, 2022, 3:30p.m.-5:30p.m. August 26, 2022, 9:00 a.m.-11:00 a.m.
August 29, 2022, 3:00 p.m. – 5:00 p.m. September 14, 2022, 3:30 p.m. -5:30 p.m.

Dave Wawro – Appoint Town Constable: Supervisor Aaron stated David Wawro, Town Dag Control Officer, is retired from the Village of Skaneateles Police Department. Being a retired police officer, He is eligible to be appointed as a constable. Dave Wawro filled in this week for Town Constable Rick Morris during Court.

The Town Board agreed to appoint Dave Wawro as Town Constable for a back up if necessary.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the Board appointed David Wawro to Town of Skaneateles Constable.

Announcements/Correspondence/Updates:

Dessa Bergen Letter: The Board received a letter from Dessa Bergen regarding the lights she had complained about at the residence on the West Side of Skaneateles Lake. She stated they homeowner had turned off the lights and she thanked the Board.

-Update Shoreline Committee – Next meeting September 22, 2022: Councilor Tucker updated the Board on the Shoreline Committee. At the last meeting they met with the design professionals. They discussed how they work with the DEC. They are hoping to get some information from the DEC on how they review applications. The next meeting is September 22, 2022, and they would be meeting with contractors.

-Austin Park & Pavilion Improvement Project informational meetings: August 25th via ZOOM at 7:00 p.m. and September 13th in person at the Austin Pavilion at 7:00 p.m.: Supervisor Aaron stated this information meeting would be held zoom only on August 25, 2022, at 7:00 p.m. and in person only on September 13, 2022 at the Austin Pavilion.

-Hamlet Committee Meetings – August 29th and September 26th at 5:30 p.m. at the Town Hall: Councilor Legg stated the committee is still accepting surveys and interested residents that would like to be a part of the focus groups and the Hamlet Committee. Anyone interested could send a letter of interest to the Town Clerk, jstenger@townofskaneateles.com.

Public Comment: Paul Plummer, State Street Road asked the Board what the location would be for the water tower the Board had discussed previously. Supervisor Aaron answered the water tower would be located on the west side of the Town at Andrews Road.

Mr. Plummer asked is there a proposed location for a cannabis dispensary? Supervisor Aaron stated no, the Board had only established where a dispensary could be established, there are no applications at this time.

Mr. Plummer asked if the ARPA funds had been distributed to the fire departments and SAVES. Supervisor Aaron stated yes, the funds had been distributed.

Councilor Dove announced the Labor Day field days are coming up and the fire department is looking for volunteers to work.

Budget Amendments: On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board, the following budget amendments were approved:

\$10,000.00	Increase	019894.01.004.00	Other Government Support
\$10,000.00	Decrease	004960.01.000.00	Federal Aid Emergency Work

Town Board-ARPA Distribution- CNY Community Foundation Donation Fund

Abstract #22-15: On a motion of Councilor Legg, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board vouchers #22-1051 - #22-1143 were authorized

from the following funds, including the voucher for the 2019 Ford Escape for the Codes Office as approved:

General Fund:	\$ 68,505.18	Highway:	\$ 14,939.15
Water:	\$ 23,359.57	Part Town:	\$ 32,102.84
T&A:	\$ 28,437.62	Sewer:	\$ 2,073.85
Highway PT	\$ 2,287.73	Street Lgt:	\$ 536.74
TOTAL:	\$167,635.94		

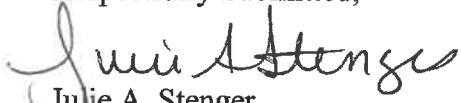
Executive Session: On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (4-0) affirmation of the Town Board the meeting was adjourned to Executive Session at 8:00 p.m. for attorney advice and discussion of personnel.

On a motion of Councilor Legg, seconded by Councilor Tucker the meeting was returned to open session at 8:45 p.m.

On a motion of Councilor Legg, seconded by Councilor Tucker, and with unanimous (4-0) affirmation of the Town Board authorized Bridgett Winkelman to work part-time in the Budget Office for \$30 per hour, till the end 2022, not to exceed 20 hours per week.

On a motion of Councilor Tucker, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned at 8:45 p.m.

Respectfully Submitted,


Julie A. Stenger
Town Clerk

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

Proposed Zoning Law Amendment Related to Cannabis Retail Dispensaries

WHEREAS, pursuant to Municipal Home Rule Law Section 20(4), Board Member Legg has introduced for consideration Local Law No. 3 of 2022 entitled "A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries Within the Town of Skaneateles" (the "Proposed Local Law"); and

WHEREAS, the purpose of the Proposed Local Law is to amend Sections 148-4-4 and 148-12-2, and add Section 148-5-9 to the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the "Zoning Law"), related to the regulation of the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles; and

WHEREAS, New York State Cannabis Law § 131 expressly authorizes the Town Board to adopt reasonable regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries; 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; and

WHEREAS, on June 6, 2022, the Town Board adopted a resolution preliminary classifying the Proposed Local Law as a Type 1 Action under SEQRA and declared its intent to serve as lead agency for purposes of a coordinated review under SEQRA of the Proposed Local Law; and

WHEREAS, Part 1 of the Full Environmental Assessment Form and the Proposed Local Law was sent to all interested agencies for comment and the Town Board received no objection to its serving as lead agency; and

WHEREAS, the Town Board has met its obligation to refer the Proposed Local Law to Onondaga County Planning for its review pursuant to General Municipal Law Section 239; and

WHEREAS, the Town Board has met its obligation to 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; and

WHEREAS, the Town Board held a duly noticed public hearing on August 1, 2022 to hear all persons interested in the Proposed Local Law and to consider the adoption of the Proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby confirms and adopts the following conclusions as SEQRA lead agency:

1. The Town Board hereby confirms its preliminary classification of the Proposed Local Law as a Type 1 Action under SEQRA (the “Action”);
2. The following impacts are expected to result from the Action, when compared against the criteria in Section 617.7 (c) of the Regulations:
 - a. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.
 - b. There will not be large quantities of vegetation or fauna removed or destroyed as the result of the Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the Action; there will not be a significant impact upon habitat areas; there are no substantial adverse impacts on any known threatened or endangered species of animal or plant, or the habitat of such species; nor are there any other significant adverse impacts to natural resources.
 - c. There are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action.
 - d. The Action will not result in the creation of a material conflict with the Town’s current plans or goals as officially approved or adopted. To the contrary, the Proposed Local Law is meant to further these goals.
 - e. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The Proposed Local Law is intended to preserve community character and aesthetic resources by establishing reasonable regulations governing the time, place and manner of the operation of licensed Cannabis Retail Dispensaries.

- f. There will not be an increase in the use of either the quantity or type of energy resulting from the Action.
- g. There will not be any hazard created to human health.
- h. There will not be an irreversible change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland.
- i. The Action will not encourage or attract large number of people to a place or places for more than a few days, compared to the number of people who would

come to such place absent the Action.

- j. There will not be created a material demand for other Actions that would result in one of the above consequences.
 - k. There will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact.
 - l. There are not two or more related Actions which would have a significant impact on the environment.
3. Based upon the information and analysis above, the Action **WILL NOT** result in any significant adverse environmental impacts;
 4. The information available concerning the Action was sufficient for the Town Board to make its determination;
 5. The Town hereby approves and adopts the attached Full Environmental Assessment Form for the Action (Parts 1, 2, and 3);
 6. A Determination of Non-Significance on the proposed Action is hereby issued;
 7. The preparation of an environmental impact statement for the Action shall not be required;
 8. The Town Supervisor is hereby directed to sign the Full Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Town Board's determination;
 9. This Determination of Non-Significance has been prepared in accordance with SEQRA and the Town Clerk is hereby directed to file, publish and distribute a notice of this Negative Declaration pursuant to 6 NYCRR § 617.12(a)(1);

BE IT FURTHER RESOLVED that the Town Board hereby adopts the Proposed Local Law, and that henceforth it shall be designated Local Law No. 3 of 2022; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to file the Proposed Local Law with the Secretary of State pursuant to Municipal Home Rule Law Section 27 and to make any publications required by law; and

BE IT FURTHER RESOLVED that the Proposed Local Law shall take effect immediately upon filing with the Secretary of State.

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

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

The resolution was thereupon declared duly adopted.

Dated: August 15, 2022

CERTIFICATION

I hereby certify that at the meeting of the Town Board of the Town of Skaneateles, Skaneateles New York on August 15, 2022 the adoption of the foregoing resolution was moved by Councilor Alexander, seconded by Councilor Legg and duly put to vote, which resulted as follows:

Supervisor Aaron	Aye
Councilor Tucker	Aye
Councilor Legg	Aye
Councilor Dove	Aye



Julie A. Stenger
Town Clerk

COMMUNITY MEDIA GROUP, LLC
PO BOX 182
ELIZABETHTOWN NY 12932
(518) 873-6368ext
Fax (315) 434-8883

ORDER CONFIRMATION (CONTINUED)

Salesperson: SYRACUSE LEGAL

Printed at 06/30/22 09:05 by mnewb

Acct #: 2254411

Ad #: 293043

Status: New WHOLD WHOI

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that a public hearing shall be held by the Town Board of the Town of Skaneateles at 7:00 p.m. on August 1, 2022 regarding Proposed Local Law 2022- B "A Local Law Establishing Zoning Requirements for Cannabis Retail Dispensaries Within the Town of Skaneateles, for your review and comment.

A copy of the local law and related materials is available for review at the Town Clerk's Office of the Town of Skaneateles, 24 Jordan Street, Skaneateles, New York or at <https://www.townofskaneateles.com/assets/Uploads/Local-Law-B-of-2022.pdf>

An opportunity to be heard in regard to such local law will be given at the hearing to those favoring or opposing the same, as well as any comments on the environmental significance of such local law. Communication in writing in relation thereto may be filed with the Town Board or at such hearing.

Said Hearing will be held on Monday, August 1, 2022 at the Skaneateles Town Hall, 24 Jordan Street and via Zoom at <https://us02web.zoom.us/j/86511764725>, Meeting ID: 865 1176 4725, Passcode: 236849. At that time, or for a period of time thereafter, all persons will be heard or have an opportunity to provide written comment on this Proposed Local Law.
PO-293043

Town of Skaneateles
Local Law No. 3 of the Year 2022
A Local Law Establishing Zoning Requirements for
Cannabis Retail Dispensaries Within the Town of Skaneateles

Be it enacted by the Town Board of the Town of Skaneateles (the “Town Board”) as follows:

Section 1. Legislative Intent

It is the intent of this local law is to establish regulations governing the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles.

Section 2. Authority

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

Section 3. Purpose

The purpose of this Proposed Local Law is to amend Sections 148-4-4 and 148-12-2, and add Section 148-5-9 to the Code of the Town of Skaneateles, more commonly known as the Zoning Law of the Town of Skaneateles (the “Zoning Law”), related to the regulation of the time, place and manner of the operation of Cannabis Retail Dispensaries in the Town of Skaneateles.

Section 4. Amendments to Code

See the attached proposed amendments to Sections 148-4-4 and 148-12-2 of the Zoning Law and the addition of a new Section, 148-5-9.

Section 5. 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 6. 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 7. Effective date

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

Proposed Amendments
(additions are underlined in bold red type)

Section 148-4-4(B)(2) (Highway Commercial District Regulations) of the Zoning Law shall be amended as follows:

Use Category	Permit	Notes and References
Business Uses		
Agriculture	P	
Automobile service station	S	See §148-4-4.E.3
<u>Cannabis Retail Dispensary</u>	<u>S</u>	<u>See §148-5-9</u>
Forestry	P	
Home occupation, small-scale	P	See §148-5-5.B.2.a.
Home occupation, large-scale	S	See §148-5-5.B.2.b.
Junkyard		See §148-5-1.E.2 and Chapter 86 of the Code of the Town of Skaneateles.
Light industry	S	
Lodging facility	S	
Office	S	
Recreational business	S	For recreational business, see §148-5-5.G
Restaurant	S	
Retail business	S	See § 148-4-4.E
Service business	S	See § 148-4-4.E
Solar energy systems	Varies	See §148-5-8
Storage Building	P	
Utility facility	S	
Veterinary hospital	S	
Warehouse	SPR	

Section 148-5-9 shall be added to the Zoning Law as follows:

148-5-9. Cannabis Retail Dispensaries.

- A. Special Permit Requirement. A Special Permit shall be required for all Cannabis Retail Dispensaries. The Planning Board shall apply the standards set forth in Section 148-10-7 of the Zoning Law when considering whether to issue a special use permit. An applicant shall adhere to the procedures set for in Section 148-10-8 of the Zoning Law governing the process to apply for a special use permit, including the requirement for a public hearing to allow for comment from members of the community.**
- B. Lot Area. A Cannabis Retail Dispensary must be located on a lot no smaller than 2.5 Acres that is located entirely within the Highway Commercial Zoning District.**

- C. Minimum Parking Requirements. For each 75 square feet devoted to merchandising within a Cannabis Retail Dispensary: one parking space shall be required.
- D. Impact on Neighboring Properties. The Planning Board shall consider the unique potential for excessive traffic, noise, light, glare or other nuisances associated with the Retail Sale of Cannabis Products, due to the anticipated high intensity of the use, potential for crowds and long lines. The Planning Board may require additional buffers and screening in excess of the minimums set forth in the Zoning Law in order to mitigate the above referenced impacts.
- E. On-site consumption. On-site consumption of Cannabis Products is not permitted at a Cannabis Retail Dispensary.
- F. Time of Operation: A Cannabis Retail Dispensary may only operate during the following timeframes: Monday-Saturday 9 a.m. to 9 p.m.; and Sunday 10 a.m. to 6 p.m.

Section 148-12-2 (Definitions) of the Zoning Law shall be amended as follows:

“Cannabis” means all parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. It does not include hemp, cannabinoid hemp or hemp.

“Cannabis Products” means cannabis, concentrated cannabis, and cannabis-infused products for use by a consumer.

“Cannabis Retail Dispensary” means any person or business that engages in the Retail Sale of Cannabis Products, the sale of which requires the issuance of a license under the provisions of New York State Law.

“Retail sale of Cannabis Products” means to solicit or receive an order for, to keep or expose for sale, and to keep with intent to sell, made by any licensed person, whether principal, proprietor, agent, or employee, of any Cannabis or Cannabis Products.