
Town of Skaneateles
Local Law A of the Year 2021
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. Proposed Amendments to Code

Article 11 Planned Unit Development (PUD)

148-11-1 Statement of Purpose and Authority

The purpose of this Planned Unit Development (PUD) Article is to set forth the procedures and requirements for establishing a PUD district in the Town. The PUD district is intended to provide land use and design flexibility to facilitate development of projects that would not otherwise be possible in the underlying zoning district or under standard zoning regulations. The PUD district is intended to balance the need for flexible land use planning with the need for appropriate land use variety and design, efficient use of public improvements, and protection of community interests. This Article is intended to ensure that PUDs contribute positively to the community by requiring sound land use planning consistent with the goals and intentions of the Comprehensive Plan.

148-11-2 General Requirements for Planned Unit Development Districts.

- A. A person that seeks to establish a PUD district in the Town must submit a PUD District Application to the Town Board. Only persons who can demonstrate legal control over the parcel(s) covered by the proposed PUD district, or their authorized representative(s), may file a PUD District Application. A contract-vendee for a parcel or parcels of land may be considered to have sufficient legal control for purposes of submitting a PUD District Application.
- B. The establishment of a PUD district shall require two steps: (i) approval of the PUD District Application, which contains the conceptual Development Plan for the project; and (ii) enactment of a local law to establish the legal boundaries and authorized parameters of the PUD district and to amend the Town Zoning Map.
- C. After a PUD district is established, the applicant must obtain approval of the Site Plan for the project.

- D. No permit for the erection of a building or structure may be granted until after all necessary approvals under this Article have been issued.
- E. The applicant for a PUD district shall pay and the Town shall be entitled to receive reimbursement for expenses associated with the review of any application submitted pursuant to this Article.

148-11-3 Location, Use, and Minimum Dimensional Requirements.

- A. The minimum area required to qualify for a PUD district shall be two acres of land.
- B. In a PUD district, buildings and land may be used for any lawful purpose which the Town Board may authorize.
- C. Because land is used more efficiently in a PUD district, improved environmental quality can often be produced with greater density or intensity (e.g. amount of floor space per building) than is usually permitted in traditionally-zoned districts. The Town Board has authority to determine in each case the appropriate land use intensity and/or density for individual projects, including but not limited to, the total land area, if any, devoted to open space.

148-11-4 Submission of the PUD District Application.

A person seeking to create a PUD district in the Town must submit a PUD District Application to the Town Board for approval, together with payment in full for the application fee required by the fee schedule set by the Town Board. The Town Engineer will advise the Town Board on whether a PUD District Application is complete for purposes of compliance with this Section and further review under this Article. The Town Board thereafter may determine whether to proceed with reviewing the PUD District Application. Each PUD District Application shall include the following:

- A. Evidence that the applicant is the owner, or otherwise has legal control, over the parcel(s) covered by the PUD District Application such that the applicant will be capable of implementing the proposed development.
- B. A conceptual Development Plan, at an appropriate scale, illustrating the type, uses and design of the proposed development, which shall also include the following information:
 - 1. Description of the parcels involved by the tax map numbers, legal descriptions, addresses, and ownership;
 - 2. An area map prepared by a licensed engineer showing applicant's entire holding, that portion of the applicant's property under consideration for the PUD district, and all properties, streets, and easements within 500 feet of the applicant's property;

3. A location map showing existing and proposed uses and proposed lot lines, and ownership and use of abutting lands;
 4. Topography, soil conditions, utilities, and drainage;
 5. Land uses, building locations and sizes (including height, footprint, and total square footage), and signage;
 6. Roads, parking, and walks;
 7. Open space areas;
 8. Landscaping, screening and buffering; and
 9. Principal ties to the community at large with respect to transportation, water supply, and stormwater, sanitary and solid waste disposal.
- C. Evidence that the proposal is compatible with the goals of the Town Comprehensive Plan.
- D. An explanation of how the proposed development creates a long-term community benefit for the Town and why a PUD is desirable for the proposed development rather than the existing zoning.
- E. If the development is to be staged, a general indication of how the staging will proceed, together with evidence that the applicant has the technical and financial competence to carry out the plan.
- F. A completed Part 1 Full Environmental Assessment Form (FEAF), together with any necessary photographs, maps, reports, or other exhibits for purposes of reviewing the application under the State Environmental Quality Review Act (SEQRA). The completed FEAF shall consider the full scope of the proposed development set forth in the PUD District Application.

148-11-5 Compliance with SEQRA.

In its review and determination on the PUD District Application, the Town Board will comply with the provisions of SEQRA set forth under Article 8 of the New York State Environmental Conservation Law and its implementing regulations set forth at 6 NYCRR Part 617. During the SEQRA review, the Town Board shall make a determination of significance for each PUD District Application, and if the Town Board issues a positive declaration of significance, then an Environmental Impact Statement shall be prepared for the proposed conceptual Development Plan and the rezoning.

148-11-6 Local Agency Referrals.

If the Town Board accepts the PUD District Application for review, the Town Board shall refer the PUD District Application, which includes the Development Plan, to the Town Planning Board and County Planning for their review and recommendation.

- A. Referral to the Town Planning Board. The Town Board shall refer the PUD District Application to the Planning Board for review. The Planning Board shall review the Application and render its recommendation on the proposed PUD district to the Town Board in writing. The Planning Board may recommend approval or disapproval of the PUD District Application, or make other recommendations. The Planning Board shall review the Application at its next regularly scheduled meeting after receiving the referral. The Planning Board shall thereafter promptly report its recommendation(s) on the proposed PUD district to the Town Board. In evaluating the Application and formulating its recommendations to the Town Board, the Planning Board shall consider the following factors:
 - 1. Whether the proposal meets the Town zoning and planning goals;
 - 2. Whether the proposal meets the intent and objectives of this Article;
 - 3. Whether the proposal is conceptually sound and conforms to accepted design principles for any proposed functional roadway, wastewater treatment and disposal, pedestrian system, land use and configuration, open space system, and drainage system; and
 - 4. Whether there are adequate services and utilities available and/or proposed to be made available for the planned development.
- B. Referral to County Planning. The Town Board shall refer a full statement of the PUD District Application to County Planning in accordance with New York State General Municipal Law § 239-m.

148-11-7 Public Hearing

- A. The Town Board shall conduct a public hearing on the PUD District Application after proper notice is given.
- B. Notice of the public hearing must be published in a newspaper of general circulation at least five (5) calendar days prior to the date of the scheduled public hearing. Such notice shall contain the date, time, and place of the hearing as well as sufficient information necessary to identify the property(s) involved and the nature of the proposed action.

148-11-8 Determination.

Within sixty-two (62) days of the close of the public hearing, provided the Town Board has received the recommendations of the Town Planning Board and County Planning, the Town

Board shall consider those recommendations and render its decision to either approve or disapprove the PUD District Application (which includes the Development Plan). The Town Board must issue its final decision by written resolution. The Town Board must take into consideration the following factors in reaching its determination:

- A. Whether the proposed use is consistent with the Town's Comprehensive Plan.
- B. Whether the proposed use will result in an undesirable change to the character of the neighborhood, damage to property values, a nuisance condition and any undue interference with the use and enjoyment of nearby properties, including but not limited to, interference due to light, noise, dust, odor and traffic.
- C. Whether the proposed use is likely to increase job opportunities for Town residents, particularly, high paying and skilled positions.
- D. Whether the proposed use will result insignificant adverse environmental impacts, particularly when located in the Skaneateles Lake watershed. Industry that does not result in damage to the environment will be heavily favored under this Article, such as, office uses and professional services. The Town Board shall weigh whether a proposed use negatively impacts surface water features, wetlands, groundwater, stormwater and steep slopes.
- E. Whether the proposed use required the construction of new buildings and infrastructure. The adaptive re-use of existing buildings and infrastructure (existing access to roads, utilities and public water) shall be favored over new construction.
- F. Whether the proposed use shall promote affordable housing in the community, particularly for senior citizens.
- G. Whether the proposed use is in proportion to surrounding structures and uses.
- H. Whether the proposed use includes improvements, to be constructed at the Applicant's expense, to pedestrian safety, sidewalks and bicycle lanes.

148-11-9 Conditions Relating to Financing.

The Town Board may condition approval of the PUD District Application upon submission by the applicant of a letter of credit, performance bond, and/or other financial documentation demonstrating the adequacy of the applicant's financial resources to complete the proposed development.

148-11-10 Architectural Requirements.

The Town Board may require the exterior design of all structures be made by, or under the direction of, a registered architect whose seal shall be affixed to the plans. The Town Board may

impose architectural style requirements so that the buildings and improvements within the project are internally harmonious and appropriate to the community as a whole.

148-11-11 Development Plan Modification.

Any modification or amendment to an approved Development Plan must conform to the procedures set forth in this Section, including submission of an application for approval of a Modified Development Plan and subsequent review by the Town Board to reach a determination on the application.

148-11-12 Abandonment

A person or entity whose PUD District Application is approved shall have one (1) year, measured from the date the Town Board enacts a local law establishing the PUD district for the project, to apply for Site Plan approval. Upon written request, the Town Board may extend the one-year period for submitting a Site Plan application, taking into consideration any reasonable facts and circumstances that led to the request for an extension. A person or entity who fails to either apply for Site Plan approval or request an extension of time within the allotted one-year period is deemed to have abandoned its planned PUD and the Town Board may adopt a resolution revoking the approval of the PUD District Application for the project, after which the Town Board may adopt a new local law to remove the PUD district and revert the property to the zoning designation in effect immediately before the PUD District Application was approved.

Section 3. Effective Date

This Local Law shall take effect when filed with the Secretary of State.