

**SPECIAL
MEETING MINUTES
JUNE 11, 2013
TOWN OF SKANEATELES PLANNING BOARD**

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

Chairman Tucker opened the meeting at 7:30 p.m.

Informal Discussion SEQR Workshop: Major Subdivision

Applicant: Tim Green/owner Loveless Farm Development
1194 Greenfield Lane
Skaneateles, New York 13152

Property: 2783 West Lake Rd
West side 051.-02-18.1
Vacant land:
East side 053.-01-39.1

Present: Andy Leja, Legal Counsel; Matt Vredenburgh, EDR Project Manager; Ben Brozell, EDR

Mr. Leja shared his concern with late submittals of information and letters hours before a meeting that does not provide adequate time for the Board or the applicants to review and respond. The applicant is expected to provide new information ten days prior to a meeting and felt that the public should be required to submit letters and information five business days before a meeting to allow review and comment time.

Chairman Tucker stated that it is his concern as well since the Board does not have sufficient time to review information that is submitted last minute.

Counsel Molnar recommended that the Board consider setting a calendar of dates regarding the various steps of the application review and SEQR. Classification of the SEQR action should be determined tonight as well as declaration of lead agency so that he may contact the various agencies for lead agency approval. Counsel Molnar commented that Mr. Langey's letter submitted today queries whether a public hearing can commence next week since the subdivision application does not have the SEQR determination and that a public hearing cannot begin until the SEQR determination has been made as per Town law section 276(5)(C). The Board had originally set the public hearing to coincide with the SEQR determination so that opportunity for the public to be heard regarding the SEQR could be provided before a final determination;

however, this is not allowed in Town law for subdivision applications. Counsel Molnar recommended that the public hearing for next week be cancelled and re-noticed at a later date after the SEQR determination has been made. If an environmental impact statement is required, based on the EAF review, then the public hearing could be held concurrently.

WHEREFORE, a motion was made by Member Estes and seconded by Member Southern to adjourn the public hearing previously scheduled on June 18, 2013, based on Town Law section 276(5)(C). The Board having been polled resulted in the unanimous affirmation of said motion.

RECORD OF VOTE

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

Counsel Molnar advised that the next step would be for the Board to determine the classification of the action. Proposed is construction of 18 single family lot on a 49+/- acres and should be considered a Type 1 action due to the potential conflict to the plans and goals of the Town and a potential conflict with the project that is adjacent to Brooks Farm, a registered historical landmark.

WHEREFORE, a motion was made by Member Southern and seconded by Member Kasper to declare the application as a Type 1 action subject to SEQR Review. The Board having been polled resulted in the unanimous affirmation of said motion

RECORD OF VOTE

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

WHEREFORE, a motion was made by Member Southern and seconded by Member Estes to declare the Planning Board as lead agency for SEQR determination. The Board having been polled resulted in the unanimous affirmation of said motion

RECORD OF VOTE

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

Counsel Molnar stated that the standard list of agencies to contact including Town of Skaneateles, Skaneateles Zoning Board of Appeals, Village of Skaneateles, DEC, NYS Office of Parks and Historic Preservation, ACOE, NYSDOT, OCDOH, Onondaga County Planning Board, City of Syracuse Water Department – Syracuse and Skaneateles, and OCDOT. Additional agencies can be added at a later date. The Board can begin the SEQR process concurrent to the thirty day notification of lead agency.

WHEREFORE, a motion was made by Member Southern and seconded by Chairman Tucker to authorize Counsel Molnar to contact the above-mentioned agencies regarding lead agency request. The Board having been polled resulted in the unanimous affirmation of said motion

WHEREFORE, a motion was made by Member Southern and seconded by Member Kasper to notify the public that any comments regarding the SEQR review for the Loveless Farm Development LLC will be appreciated on or before July 12, 2013. The Board having been polled resulted in the unanimous affirmation of said motion

RECORD OF VOTE

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

Member Estes listed her concerns with part 1 of the EAF form submitted by the applicant. On questions 10 she stated that the development could affect hunting. Member Southern commented that hunting is prohibited within 500' of residential areas. Question 12 should be changed to yes as the ravine is a unique land feature and there will be a bridge built on the ravine.. Mr. Leja stated that the bridge will not be attached to the ravine as the footings for the bridge will not be constructed in the ravine. The existing drainage into the ravine is uncontrolled. Member Winkelman commented that the state highway also is a unique land form that is sited above the lake. Questions 13 and 14 Member Estes feels that the project area open space is used by the public for the scenic view of the lake is at this location for tourists. Chairman Tucker clarified that the view is not listed as a scenic view in the comprehensive plan. Project Description Question 5- vegetation will be removed from the west side and it is unclear if the forest is over 100 years old. Vegetation may be removed with the development of the bridge. Question 16, how was the solid waste calculated? Mr. Vredenburg stated that it was calculated based on ordinary household debris after final occupancy of the entire project. Member Southern commented that the Town of Skaneateles has their own transfer station and that private trash haulers don't necessarily bring the trash to the Rock Cut Road Transfer. Question 18- pesticide and herbicide usage. Mr. Leja stated that any lawn products usage would be decided by the individual homeowners. The homeowners association only would control the designated common areas for the pool, tennis courts and other recreational areas on the East side of project. Question 23- water usage per day. Mr. Leja stated that the calculations will be provided to the Board. Zoning and Planning question 6 Member Estes stated that the proposed use is not consistent with the Town's zoning. Mr. Leja stated that the entire subdivision is consistent with

Town zoning and no variances are required. Question 12-Member Estes stated that she believes that the traffic will increase. Mr. Leja stated that the proposal was reviewed by NYSDOT who are familiar with traffic flow, and their letter stated that they had no concern.

Counsel Molnar recommended that the Board may want to review part two of the SEQR EAF in order to determine what factors may need more information for the Board to review when the EAF review has begun at a later date. In doing so, the applicant would have time to focus on the potential areas of concern the Board may have. The Board proceeded to do a trial run through the EAF.

Question 1 regarding the physical change of the project, the Board requested more information on construction of slopes greater than 15%; impact could be managed by site plan review for individual lots with greater than 15% slopes. A SWPPP and SPEDES application have been submitted. The proposed building envelopes and septic systems will allow the Board to determine if their location complies with Town and State regulations. The infrastructure will be installed before the dwellings will be built to control storm water controls and roads. The project will have more than one phase and can be mitigated with the SPEDES application limiting their approval to a three year period. Planning Board resolutions expires within 18 months without activity. The site is not located in the FEMA 100-year flood plain. This is a large development in the Lake Water District in recent years. There will be removal of 11.5 acres of forested land and the land has some high value conservation land.

Question 2 regarding affect on unique land forms, it was noted that there is no proposed development on the lake front and that the ravine will not be physically disturbed as the bulkheads for the bridge will be outside of the ravine area. Site plan review could be requested for lot 1. Member Estates stated she was concerned with ravine disturbance during the construction of the bridge.

Question 3 regarding affect on any protected water body, a road is proposed to be constructed on part of a wetlands. There could be increased runoff that would enter protected areas of the lake and stream that can be mitigated.

Questions 4 regarding affect on any non-protected body of water, sediment ponds will be established; however, it will not be 10 acres or more.

Question 5 regarding affect surface and ground water, there may be some adverse affect to ground water that will be mitigated. Siltation from construction will be controlled by the SWPPP and SPEDES permits. Residential use is being proposed in areas without water and service services; however the DOH has given conceptual septic approval. Removal of vegetation on the west side of the lake affects water quality; however it can be mitigated and will be controlled by the SWPPS and SPEDES. Mr. Vrendenburgh stated that the water on the west side flows into a tributary to the south and not the existing ravine. Added impermeable surface coverage will impact surface water that can be mitigated by the proposed re-charging wells.

Question 6 regarding drainage flow and surface water runoff, erosion can be mitigated by SPEDES and SWPPP management. The drainage will be controlled, flowed into drainage basins where it will be released at a control rate that is equal to or less than the rate now into the ravine. There is an existing area of erosion from the east side of the project that has eroded part of the

sub-ravine that application proposes a control structure upstream and repair of the sub- ravine erosion as well as pipe the water to the bottom of the stream which will improve that particular area.

Question 7- The proposal has no impact on air quality.

Question 8 regarding impact on threatened or endangered species, no endangered species were determined as commented in the conservation analysis. Pesticides and herbicides used twice a year are typical for residential lawns.

Question 9 regarding substantially affect on non-endangered species, the control measures to control the water flows will mitigate any potential affect. The removal of forest may impact the non-endangered species, although the age of the forest has not been determined. The loss of forest areas has been impacted by the rural siting principles in the Town.

Question 10 regarding agricultural land resources, the proposal involves 18.5 acres of land of the 17,000 acres of agricultural land in Skaneateles and 47,000 acres in Agricultural District #2.

Question 11 regarding aesthetic resources, the proposed dwellings on the east side would be set at 960FT elevation that the existing route 41A at 1005FT. Any trees along the 41A could be trimmed as to not obstruct the view. The planting of the lots on the east side could be regulated as they are developed. The applicant will develop a plan for the trees on the east side for review by the Board.

Question 12 regarding impact on historic and archeological resources, Brooke Farm dwelling is on the register of historic places and is well shielded from the applicant's property by the existing ravine. The entire area around Skaneateles Lake is considered archeologically sensitive, although there was no significant archeological significance of the property.

Question 13 regarding open space and recreation, there is a reduction to the open space; however proposed is an open space subdivision and can the impact can be mitigated.

Question 14 – The proposal is not located is a designated CEA area.

Question 15 regarding the impact on transportation, the activity will be increased by the additional dwellings.

Question 16-There is no impact on energy supply.

Question 17-There will be no impact on noise, vibration and or odor.

Question 18-There will be no impact on public health and safety. Commented was an impact could occur if a septic system failed as it may potentially impact the lake.

Question 19 regarding growth and character of the community or neighborhood, The proposal conforms to the zoning code which was predicated on the comprehensive plan. Member Winkelman stated concerns with how the open space plan was designed with building envelopes on unbuildable land and a road running through a wetland. Mr. Brodsky stated that the proposal

has technically complied with the code in its design; however the SEQR is viewing the proposal from an environmental point of view and the Board needs to determine if the proposal addresses the environmental concerns. The design aspects of the subdivision can be addressed when the Board is contemplating the subdivision approval. Me. Vrendenburgh stated that during the design process, the Planning Board has influenced the current design of the subdivision including lot and road placement. The property is in a highly conservation value area, views and the potential for a sprawl appearance. The density of this site is the same as a conventional two-acre subdivision. Mitigating factors will need to be developed by the applicant addressing the Board concerns, especially with the density on the east side of the project.

Question 20 regarding public controversy related to potential adverse environmental impacts, stated concerns were the high value conservation value of the land, ravine stability and potential loss of views.

Based on the discussion today, the applicant will prepare responses and mitigating factors for the factors discussed.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to schedule a special Planning Board meeting to continue the Loveless Farm Development LLC SEQR review on ***Tuesday, July 30, 2013 at 7:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion

Discussion

The regularly scheduled Planning Board meeting for July 16 will be scheduled on Monday, July 15, 2013 due to scheduling conflicts.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Kasper to schedule the July regular Planning Board meeting on ***Monday, July 15, 2013 at 7:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

There being no further business the Planning Board meeting adjourned at 10:53 p.m.

Respectfully Submitted,

Karen Barkdull, Secretary