

TOWN OF SKANEATELES PLANNING BOARD
ZOOM MEETING MINUTES
April 7, 2020

Joseph Southern
Donald Kasper
Scott Winkelman
Douglas Hamlin
Jill Marshall
Scott Molnar, Legal Counsel
John Camp, P.E. (C&S Engineers)
Howard Brodsky, Town Planner
Karen Barkdull, Clerk

Chairman Southern opened the meeting at 6:30 p.m. The meeting minutes of February 18, 2020 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Marshall and seconded by Member Winkelman to approve the minutes as submitted. The Board having been polled resulted in the affirmance of said motion. Member Kasper abstained from the vote as he was not present at the February 18, 2020 meeting.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Abstain]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Public Hearing- 2-lot Subdivision

Applicant:	Kenan 2012 Family Trust LLC	Property:
	Bruce Kenan	3406 West Lake Road
	61 Main Street	Skaneateles, NY 13152
	Camillus, NY 13031	Tax Map #049.-02-04.2

Present: Bruce Kenan, Applicant; John Langey, Attorney;

The applicant is proposing the subdivision of the town lot into two lots and then the combination of the two newly created lots with the two existing village lots to the north with deed language that will connect them in perpetuity. Lot 3A would be combined with lot 1 in the village; lot 3B would be combined with lot 2 in the village. The applicant has received a variance for the creation of two non-conforming lots at the Zoning Board of Appeals meeting on March 3, 2020.

Chairman Southern requested that the lots be pinned at the corners and the subdivision map updated to reflect the pin locations. Mr. Langey stated that they will have the surveyor provide the requested updates. The survey has been modified to reflect the lot 3B metes and bounds ending at the mean high water mark to meet with the zoning code requirements, and lot 3A reflects the lot to the road right of way.

At this time Counsel Molnar recommended to the Board that the application be an Unlisted Action and reviewed the short form SEQR with the Board. In evaluating, each of the criteria set forth in Part II:

Part II	No or small impact	Moderate to Large impact
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulation?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a CEA?	X	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	X	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	X	
7. Will the proposed action impact existing public/private water supplies and/or public/ private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g. wetlands, water bodies, groundwater, air quality, flora and fauna)?	X	
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	X	
11. Will the proposed action create a hazard to environmental or human health?	X	

WHEREFORE, a motion was made by Member Hamlin and seconded by Member Marshall, the Board declared this application to be an Unlisted Action, and after review of the SEQR short environmental assessment form and determined that the proposed action will not result in any significant adverse environmental impacts. The Board having been polled resulted in the unanimous affirmation of said motion.

At this time, Chairman Southern opened the Public Hearing and asked if there was anyone in favor of the proposal. Robert Eggleston, 3441 Rickard Road, commented that the proposal is an appropriate solution as there are lots in the village and town that straddle the municipal border. He continued saying that the proposal will make a better arrangement considering the history of the lots. Chairman Southern asked if there was anyone who wished to speak in opposition or had any other comments on the project. No one spoke in opposition or had any other comments.

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

Counsel Molnar stated that the deed language that was created was shared with the client's attorneys who were in agreement. The deeds will transfer ownership of the newly created lots with a perpetual covenant restriction so that each of the two newly created lots with the northern village lots 1 and 2, and would be treated as two lots. These two lots would subsequently lay partially in the village and town. The language reads as follows: "the deed is transferring the newly created lots subject to a perpetual covenant, condition

and restriction binding upon the Grantee, its successors and assigns, that the entire premises conveyed hereby shall be retained under common ownership as a single parcel, unless the Grantee, or its successors and/or assigns obtains the express written approval of the Town of Skaneateles Planning Board.”

Member Winkelman inquired about the impermeable surface coverage calculations for lots 1 and 2, and if there were, any stormwater improvements proposed between the lake and the driveway. Mr. Langey stated that based on prior discussions with the board, the proposal is simply drawing lines for the proposed lots and there are no structural improvements proposed. He continued saying that a future owner, if he were to propose modifications to the coverage, would need to obtain Planning Board approval. Mr. Camp inquired if both of the lots are over 10% and Member Winkelman stated that there were; however, the calculations include the village and town impermeable surface coverage. Mr. Camp stated that the village does not regulate impermeable coverage and that applicant is not proposing any modifications to the coverage. However, there are opportunities to provide stormwater management if that was something the board had an interest. Counsel Molnar stated that that would be better addressed at the time of a special permit or site plan review application for alteration or improvements on the property when that would be proposed.

Mr. Brodsky inquired what the dimensions of the lots are and if the impermeable coverage calculations were updated with the modification of the proposed lots. Mr. Langey said that the lot dimensions approved by the ZBA are consistent with the plan before the board. Lot 1 will have a total area of 4.2 acres and lot 2 will have a lot area of 1.7 acres, both including the subdivided lot 3. Mr. Brodsky recommended that the lot calculations be verified by the surveyor and provided to the town. Member Winkelman commented that when he calculated the lot size for lot 2 he calculated 1.5 acres.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Scott Winkelman, duly seconded by Member Donald Kasper, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby APPROVES the Subdivision, with the following conditions:

1. The Subdivision Map, to be corrected as set forth below, be submitted for the Planning Board Chairman’s review and signature within 180 days from the signing of this Resolution; and
2. That the Town Lots have all corners pinned, with pins reflected on the Subdivision Map; and
3. That the lot coverage calculations for the Town Lots and the Village Lots be verified by the Surveyor and provided to the Planning Board Clerk; and
4. That all conditions imposed by the Skaneateles Zoning Board of Appeals in connection with its approval of the Variance be fulfilled; and
5. That the Applicant prepare and submit deeds (the “Deeds”) for the approval of the Planning Board Chairman, containing perpetual covenants and restrictions requiring the Town Lots and the respective Village Lots be retained under common ownership as a single parcel; and
6. The Subdivision Map and Deeds must be filed in the Onondaga County Clerk’s Office within sixty-two (62) days of the signing of said Map, or the Subdivision approval shall be null and void. Proof of said filing shall be immediately forwarded to the Secretary of the Planning Board upon receipt by the Applicant and/or Applicant’s representative.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Amendment Request-Minor Site Plan Review

Applicant Edward & Debbie Brennan
3018 West Lake Rd
Skaneateles, NY 13152
Tax Map #052.-01-15.2

Present: Andy Ramsgard, Ramsgard Architects

The proposal is for the modification of the approved garage addition and associated improvements. The applicants would like to have the petanque court closer to the dwelling and have a smaller footprint for the garage addition. The prior approval was for 10,301 square feet that will be reduced to 7,709 square feet for the garage addition. The grading and bio-swale remains unchanged. Mr. Camp inquired if the bio-swale should be moved closer to the proposed garage and Mr. Ramsgard stated that it makes sense to leave the proposed bio-swale closer to where the old tennis court was located based on the topography in the area, as the tennis court sloped off in the direction where the bio-swale will be located.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Hamlin, the Planning Board to adopt the prior SEQR determination classified as a Type II action pursuant to 6 NYCRR617.5(c)(11) and not subject to further review under SEQR on December 17, 2019.. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Douglas Hamlin, seconded by Member Jill Marshall, and upon an affirmative vote thereon as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Amendment Application, and amends the Approving Resolution, as follows:

1. The Site Plan Z1.1 and Coverage diagram Z-1.5 dated March 5 2020 and revised Narrative dated March 5, 2020, prepared by Andrew Ramsgard., Licensed Architect, be strictly followed; and
2. Except as amended hereby, the conditions of the Approving Resolution remain in full force and effect.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Continued Review- Site Plan Review

Applicant:

Ronald Scott
8922 Madeleine Drive
Baldwinsville, NY 13027

Property:

1420 Thornton Hts
Skaneateles, NY 13152
Tax Map #057.-01-11.0

Present: Bonnie & Ronald Scott, Applicants; Robert Eggleston, Eggleston & Krenzer Architects;

The Zoning Board of Appeals has granted the variance for a lot less than 20,000 square feet on March 3, 2020. A site visit was conducted on February 22, 2020, where a recommendation was made to modify the bio swale. The March 10, 2020 grading and site plan reflects two bio-swales, one located on the east side of the property and the retention bio-swale to the west of the dwelling. Bio swale A is a retention swale that measures 23 feet by 5 feet by 1.5 feet deep, would collect the storm water from the downspouts from the dwelling and any additional run off from the north side of the property. Bio swale B is a smaller retention pond located to the northeast that will collect any run off from the north and east, coming onto the property.

Member Kasper inquired what will occur when the stormwater reaches the roadway. Mr. Eggleston said that the proposed system will slow down the stormwater improving the existing condition. Mr. Scott stated that stormwater comes down the bank to the camp by the lake and he has tried to collect as much as he could on the lake property. He continued saying that he believes the proposed will reduce the amount of water coming down to the lake property. There are no serious erosion issues at the lake property. Member Kasper inquired if the stormwater will go to the neighbor's property. Mr. Eggleston said that it should decrease from the existing stormwater pattern. Mr. Camp said that the revised plan is improved from the original plan and he does not think it will make the drainage worse. He continued saying that ideally, the drainage would be captured in the low area but he realizes that that will not be accomplished with this project. He recommended that the applicant work with the neighbor to minimize potential icing in the road from the stormwater during winter.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Hamlin, the Planning Board to classified the application as a Type II action pursuant to 6 NYCRR617.5(c)(11) and not subject to further review under SEQ. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Jill Marshall and duly seconded by Member Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the minor site plan, with standard conditions and the following additional conditions:

1. That the Special Permit/Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan 1 of 3 and 1A of 3 dated March 10, 2020, Elevations and floor plans 2 of 3 and 3 of 3 dated January 23, 2020, and Narrative dated January 23, 2020, prepared by Robert O. Eggleston, Licensed Architect, be strictly followed; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and

4. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance, be fulfilled; and
5. No certificate of occupancy shall be granted until the Applicant has filed a set of as-built plans with the Codes Enforcement Officer, indicating any deviations from the approved site plan. The Codes Enforcement Officer shall be responsible for the inspection of site improvements, including coordination with the Town's consultants and other local officials and agencies, as may be appropriate; and
6. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Sketch Plan-Minor Special Permit/Site Plan Review

Applicant	WV Properties One LLC Juhan Visser 9 NE Ashwood Lane Skaneateles, N 13152	Property: Old Seneca Tpke Skaneateles, NY 13152 Tax Map #029.-02-12.0
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Present: Juhan Visser, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The 10,645 square foot lot is located outside of the lake watershed and has an existing 200 square foot masonry utility building. Proposed is the demolition of the existing building and construction of a 720 square foot pole barn for personal storage as the applicants live in the village and need additional storage for their boat, car, etc. There will be no water or septic on the property. After discussions with OCDOT, their recommendation was to locate the driveway 10 feet from the northeast property line in order to have proper sight distance on the road. The proposed driveway will curve from the 10-foot setback to meet the pole barn. The Planning Board has the flexibility to allow a driveway to be located less than 20 feet to the property line if safety is a concern. Impermeable surface coverage will increase from 1.9% to 12.9%, under the 15% allowed for this nonconforming lot. Three-foot wide stone drainage strips under the eaves of the garage is proposed to control the storm water off the building and absorbed into the ground.

All storage will be inside the building and the storage barn nearby is across the street and slightly to the east. The proposed storage barn will be similar to the barn located on Route 321 and Mottville Road but on a smaller scale. The barn is for personal storage only, and the lighting will be a motion sensor night sky compliant light.

Mr. Camp inquired if the drainage strips could daylight the stormwater if the topography will allow. Mr. Eggleston stated that there is a slight pitch to the northeast corner and that the drainage strip could be daylighted to that corner of the lot and eventually to the road ditch. Mr. Camp inquired if the building will have a foundation and Mr. Eggleston stated that it will be a post frame construction with pressure treated posts into the ground. Member Kasper commented that the farmer farms on an angle but the

survey indicates that the property lines are straight. He inquired if the farmer will be putting crops within 10 feet of the building. Mr. Eggleston said that will be have a discussion with the applicants and the farmer so that the boundaries are clarified. Mr. Brodsky inquired if the barn will be for personal use or if there is any rental storage, and Mr. Visser said that use the building would be for storage of a car, boats in the winter and no rental storage. Site visits will be done independently.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Marshall to schedule a public hearing on *Tuesday, May 19, 2020 at 6:30 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Continued Review-Lot Line Adjustment

Applicant: James Tracy
 2833 Shamrock Rd
 Skaneateles, New York 13152
Tax Map #036.-02-02.0 & 036.-02-06.0

Present: Robert Eggleston, Eggleston & Krenzer Architects

The proposal is for a lot line adjustment to transfer 3 acres from the 14-acre agricultural lot owned by the applicant’s wife and her father, which will increase the applicant’s lot from 12.8 acres to 15.8 acres. Member Winkelman said that the Onondaga County Planning Board had commented that the driveway should be updated as the property is used for residential and commercial uses. Mr. Eggleston said that their comments relate to the special permit for the pole barn and not the lot line adjustment, and it could be reviewed then when the board is reviewing the special permit request.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Winkelman, the Planning Board to classified the application as a Type II action pursuant to 6 NYCRR617.5(c)(11) and not subject to further review under SEQR. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Donald Kasper, seconded by Member Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby APPROVES the Lot Line Adjustment, with the following conditions:

1. The LLA Map be submitted to the Chairman for review, approval and signature prior to filing with the Onondaga County Clerk’s Office; and
2. The LLA Map and deed transferring title to the adjusted property must be filed in the Onondaga County Clerk’s Office within sixty-two (62) days of the signing of said LLA Map or the Lot Line Adjustment shall be null and void. Proof of said filing shall be immediately forwarded to the Secretary of the Planning Board upon receipt by the Applicant and/or Applicant’s representative.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Extension Request-Minor Special Permit/Site Plan Review

Applicant Michael & Stacey Drake
Norman Cay Holdings LLC
3657 Fisher Rd Property:
Skaneateles, NY 13152 697 West Genesee St
Skaneateles, NY 13152
Tax Map #047.-01-37.0 &047.-01-36.0

Present: Michael & Kristen Drake, Applicants; Robert Eggleston, Eggleston & Krenzer Architects

The applicant is requesting a six-month extension of the lot line adjustment that was granted on September 17, 2019. They are waiting for the finalization of the location of the driveway cut with NYSDOT and they need more time before finalization. They are also working on the final design and approval of the septic system for Mr. Pudders that is located on the adjacent lot. Easement language will also be drafted for the septic system, and that will be referenced on the final lot line adjustment map.

Member Kasper inquired why all of this was not completed prior to a building permit being issued. Mr. Eggleston responded a certificate of occupancy will not be issued until all requirements are met.

WHEREAS, a motion was made by Chairman Southern and seconded by Member Marshall, the Planning Board recalled that it conducted a SEQRA review of the proposed Lot Line Adjustment and Major Special Permit on September 17, 2019 as a Type II action not subject to further environmental review, which prior determination was adopted by the Planning Board in consideration of this Extension Application. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Scott Winkelman and seconded by Member Douglas Hamlin and after an affirmative vote of all Members present, the Skaneateles Planning Board **APPROVES** the Extension Application for an additional six (6) months, with the following conditions:

1. That the original Site Plan and Construction Narrative approved for the Project shall be followed in all respects for the construction of buildings and improvements on the Property not otherwise completed to the date hereof, and that the Approving Resolution of the Planning Board be followed in all respects, extended hereby for an additional six (6) months.

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Informal Discussion

Applicant	West Lake Road Properties LLC	Property:
	1200 State Fair Blvd	1808 West Lake Rd
	Syracuse, NY 13209	Skaneateles, NY 13152
		Tax Map #062.-01-09.2

Present: James Ranali, Owner; Brian Bouchard, CHA

The property is located in the RFLWOD with an existing single-family dwelling, boathouse, tennis court, and driveway. The prior owner had completed the open building permit and made improvements to the site to have it be in compliance with the zoning code, including the establishment of a grass strip driveway to bring the lot into 10% impermeable surface coverage. The new owner would like to improve the functionality of the existing driveway and to put in an infinity edge pool and patio facing the lake.

The infinity edge pool will have a paver patio area with stairs down to the yard, and a hot tub next to the house. The concrete coping around the pool, the edge around the hot tub, as well as the concrete retaining wall structure are considered impermeable surface coverage. The patio and the water surfaces are considered permeable surfaces.

The existing driveway is a very long and winding with a grass strip in the middle. The entirety of the driveway is curved and it is difficult to traverse with trucks, vehicle with trailer and other vehicles such as a snowplow. What the owner is considering is an alternative location for the driveway to the south that would create a straight path and turn as you approach the garage. The center of the driveway and along the sides of the driveway would be composed of a stone base with underdrain and permeable pavers. It would provide a greater capture and filtration of stormwater runoff from the driveway. The underdrain for the engineered driveway would lead to a bio-swale that would further filter the stormwater before entry into the lake. There will be three-foot strips to drive on and a paver system over stone to allow infiltration of water would be utilized along the sides of the driveway and in the center of the driveway that would not be destroyed by vehicles if they went off of the driving strips. Mr. Camp commented that it has been the board and town's position that any surface that is driven on regardless of material used, was considered impermeable surface coverage. Chairman Southern commented that his concern is that the pavers will be driven on and render them impermeable surface. Mr. Bouchard stated that with the engineered system, the pavers would remain permeable due to the construction of them and continue to allow water to drain.

The existing driveway that was modified to attain 10%, made it impossible to access the larger garage. Mr. Ranali stated that the existing curve-linear driveway is difficult to traverse even with a SUV. A fire truck would have a difficult time access the dwelling in an emergency. He would like to keep the lake clean and the existing driveway is not a clean situation.

Mr. Bouchard said that they are proposing the same driveway strips as the existing driveway, and they are swapping out the grass that is not holding up well with an engineered paver system that will clean and allow the water to infiltrate. Chairman Southern said that with the grass strip, it provides treatment of the stormwater and with underdrains, it does not. Mr. Bouchard said that grass strip areas are holding the water as shown in the pictures presented so over time the ground for these areas are becoming compact. The existing driveway width is 12 feet and proposed is 15 feet in width with two 3-foot driveway paths. The proposed driveway could be reduced to twelve feet in width. Member Kasper commented that there have been issues with the grass strips, and inquired if they have been accepted in other areas. Mr. Camp stated that grass strips in driveways have to be properly built and they have to be not be driven on. Mr.

Brodsky stated that the code explicitly says that regardless of material, any driveway is considered impermeable. The prior owner was approved for the use of a grass strip driveway and it is unfortunate that it underperformed.

Member Marshall commented that the grass strip appears to not be effective. Mr. Camp said that grass strips are usually proposed so that the applicant can build a bigger house. Mr. Camp stated that based on the photos presented, the grass strip is higher than the driving surface and that indicates that it was not installed appropriately. Mr. Bouchard said that if the driver goes off the driveway strips then you disturb the grass, and if it is driven on, making the grass impermeable. IF there was a paver system with stone under it and you were to vary from the driveway paths, you would drive on it but not compromise the infiltration of water if it was engineered properly. With a giant house plan that wants to make their entire driveway surface a regular paver system without the proper engineering to provide infiltration of stormwater with stone and underdrain, counting the entire driveway as permeable surface would be that situation. What they have tried to provide is the best solution where the driveway paths are counted as impermeable surface coverage, with the shoulders provided with a permeable surface that may occasionally be driven on. Mr. Camp stated that it does not meet code and would need a variance in his opinion.

Mr. Ranali said that the photos reflect tire ruts, and when the tires go half way off of the driveway strips it kicks your car off the paths and the car will stay off the paths. Member Hamlin inquired what the width of the center section of the driveway. Mr. Bouchard said that 3 feet and the sides of the driveway are 3 feet wide. Mr. Brodsky inquired about the topography of the lot. Mr. Bouchard commented that the land is consistent until you get to the dwelling then it drops down to the lake. Mr. Ranali said that the proposed driveway is straight so that the back tires cannot drop off. Mr. Brodsky inquired if a grass strip may be more viable since the proposed driveway is straight. Mr. Ranali stated that they will be living there year round and does not see how the driveway could be plowed with the grass strip. Mr. Brodsky said that it would depend on how the driveway was designed and inquired if there was any other areas where the impermeable coverage could be removed. Mr. Bouchard stated that it is the house, boathouse and driveway and there is no area that could be reduced to bring the impermeable coverage down to 9.9%.

The existing clay court will be removed from the property along with the old driveway. With the proposed modifications and additions, the impermeable surface coverage would be reduced from 11.2% to 9.9% with the Planning Board accepting the use of the paver system utilized down the center and along the sides of the driveway as permeable surface. Open space will increase from 81% to 83.2%. Chairman Southern clarified that the tennis court is considered permeable surface and has no bearing on the impermeable surface coverage. He continued saying that anything that is driven on is considered impermeable surface coverage. Mr. Bouchard said that it seems that the only way to have the pavers considered as permeable surface coverage in this application would be to obtain a variance. He continued saying that from an environmental concern, this is a practical approach to the problem without removing a portion of the dwelling unless they go back to the grass strip, which is identical to the existing driveway. He inquired if the Planning Board supports the request for variance and Chairman Southern stated that the board does not take a position or making a recommendation; the ZBA would make their own decisions.

Member Kasper commented that the board has approved the grass strips and if the ZBA approves the use of the paver strips, then others applicants will come back and proposed them to gain a larger house. Member Marshall stated that they are not looking to make the house bigger and it is not a new build, so she feels that they are trying to improve the situation. If it was a new build, she would look at it differently. They are trying to improve the driveway and we could keep up with the technology. Member Hamlin said that they are improving the situation simply by straightening the driveway. He continued saying that he has a personal experience with a straight grass strip driveway and it works just fine even

with the plowing. Mr. Brodsky inquired if the side strips of the driveway have to be pavers or if it can be stone or other permeable material that is less likely to be driven on by a vehicle. Mr. Bouchard stated that the intention is for the tires to stay on the tire tracks and if come off it you would not need to plant grass seed. Mr. Ranali suggested that landscape stone could be used on the outside of the driveway and pavers in the middle. Mr. Brodsky said that anywhere you want permeable surface needs to have a visual and textural difference to the driver. Chairman Southern recommended that the applicant review the various options including grass to comply with the zoning code or get a variance if you want to change it. He continued saying that the center could be rock and would not be a problem. There are products that are open grate to support the center of the driveway with grass or stone. Mr. Bouchard stated that paver system is out of the question but something that is permeable that you would not want to drive on is okay. Number 2 or 3 stone along the driveway and a structural grass strip in the center could be acceptable. Mr. Camp stated that what they are suggesting is gravel. Mr. Brodsky said that he was suggesting a landscape stone that you would not want to drive on with a vehicle. Member Marshall suggested that the outside of the driveway could also utilize the grid system that would support grass. Chairman Southern commented that the sides of the driveway would be an accidental driveway could be considered.

Mr. Bouchard said that he will consult with his client about proceeding with two applications separating the pool from the driveway. The code will have to be amended at some point, so they need to consider options available to them. Site visits will be done independently after coordination with Mr. Bouchard so that the gate could be left open. Member Hamlin commented that removal of the existing tennis court does not buy the applicant any impermeable Mr. Bouchard stated that the concrete apron around the pool and the retaining walls, apron around the hot tub are all impermeable surface but represent an insignificant change to the coverage based on the size of the lot. The proposed pool surface and permeable walkway would replace the permeable surface of the tennis court. The proposed pool and patio is located within 200 feet of the lake line.

Member Winkelman inquired what material will be used for the patio, and as the patio will be built up on a foundation, where will the stormwater permeate. Mr. Bouchard stated that the patio pavers would be appropriately spaced for drainage and that due to the topography; the area for the patio will be back filled with stone behind a retaining wall. Stormwater will drain into the stone and through the Redi-rock stone retaining wall.

Member Winkelman commented that with the proposed driveway the applicant could oversize the drainage facility and improve the stormwater capacity with the use of the new materials.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Marshall to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 8:22 p.m. as there being no further business.

Respectfully Submitted,
Karen Barkdull, Clerk