

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
May 20, 2014**

Mark J. Tucker, Chairman
Elizabeth Estes-absent
Donald Kasper
Joseph Southern
Scott Winkelman
Scott Molnar, Legal Counsel
Doug Wickman, P.E. (C&S Engineers)
Howard Brodsky, Town Planner

Vice Chairman Southern opened the meeting at 7:30 p.m. The meeting minutes of April 15, 2014 were previously distributed to the Board and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Kasper to approve the minutes with minor corrections. The Board having been polled resulted in the unanimous affirmance of said motion.

RECORD OF VOTE

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

The meeting minutes of April 22, 2014 were previously distributed to the Board and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Kasper and seconded by Member Winkelman to approve the minutes as submitted. The Board having been polled resulted in the unanimous affirmance of said motion.

RECORD OF VOTE

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

Public Hearing- Special Permit/site Plan Review

Applicant: Patricia Ford
41 Academy Street
Skaneateles, New York

Property:
2797 East Lake Rd
Skaneateles, New York
Tax Map #038.-01-20.0

Present: Robert Eggleston, Architect

The public hearing will be rescheduled for May 27.2014.

WHEREFORE, a motion was made by Member Kasper and seconded by Member Winkelman to reschedule a public hearing on **Tuesday, May 27, 2014 at 7:30 p.m.** The Board having been polled resulted in the unanimous affirmation of said motion.

Chairman Tucker arrived at 7:35 pm.

Sketch Plan- Special Permit/ Site Plan Review

Applicant: Harmony Homes LLC
PO Box 792.
Skaneateles, NY

Property:
3460 County Line Road
Skaneateles, NY 13152
Tax Map #048.-01-01.4

Present: Mark Aberi, Applicant; Robert Eggleston, Architect

The applicant is proposing a 2368SF two-story carriage style office building for Harmony Homes with first floor offices and workshop/garage, and second floor additional three offices to be rented. Five employees are projected to utilize the building and six parking spaces have been proposed. Proposed impermeable surface coverage is 7.2% on the two-acre lot. A new septic system designed for four bedrooms is being relocated to be 100' from the neighbor's well. The system is being designed for four bedrooms in anticipation for any future development of the lot that may include a single-family dwelling. The proposed office use will use 75 gallons of water per day whereas one bedroom would use 110 gallons a day. Mr. Aberi stated that the septic system is planned for a four bedroom dwelling to allow flexibility in the event of selling the property. The Onondaga County Planning Board requested that a plat plan be submitted to the Health Department prior to issuance of a building permit. The property is not located in the Skaneateles or Owasco Lake Watershed; however, a copy of the proposal will be sent to Cayuga County for review as the property borders Cayuga County.

Chairman Tucker inquired on the proposed lighting for the project. Mr. Eggleston stated that residential carriage lighting is proposed for the building and an evergreen buffer between the building and the neighbors to the north will be provided for screening. Member Kasper inquired on neighbor notification regarding the project. Mr. Aberi stated that he has discussed the project with the neighbor to the north and will be obtaining a signature prior to the public hearing. Mr. Wickman asked on the duration of the construction. Mr. Aberi stated that it would take approximately four months.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Kasper to schedule a public hearing on **Tuesday, June 17, 2014 at 7:30 p.m.** The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan –Lot Line Adjustment

Co-Applicants Paul & Kathy Leone
PO Box 228
Palm Beach, FL 33480

Properties:
2559 East Lake Road 2579 East Lake Rd
Skaneateles, NY 13152 Skaneateles, NY
Tax Map #037.-01-28.0 TM#037.-01-27.0

2575 East Lake Rd
Skaneateles, NY 13152
TM#037.-01-26.0

Co-Applicant: Janine Price
7013 Woodchuck Hill Rd
Fayetteville, NY 13066

Properties:
2578 East Lake Road 2575 East Lake Rd
Skaneateles, NY 13152 Skaneateles, NY
Tax Map #037.-01-25.0 TM#037.-01-26.0

Present: Peter Elliott, Attorney

The co-applicants are proposing the elimination of lot 037.-01-26.0 and adjusting the lot lines of the remaining three lots. Proposed lot 1 will be 55,329SF with 8.8% impermeable surface coverage and 89.1% open space; lot 2 will be 84,397SF with 8.3% impermeable surface coverage and 90.8% open space; and proposed lot 3 will be 115,536SF with 7.6% impermeable surface coverage and 83.3% open space. The dwelling from the eliminated parcel will be demolished, removal of the existing driveway area, and the shed will be relocated off the proposed property line to achieve the 7.6% impervious surface for lot 3. If approximately 55-60% of the driveway were removed on lot 3, the impermeable surface coverage would be reduced to 10%.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Donald Kasper, seconded by Member Joseph Southern, 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. That the dwelling marked for demolition be demolished, that a reduction in driveway parking area be achieved, and relocation of shed located on existing property line for the prior lot 037.-01-26.0 be finalized, prior to submittal of an as built survey for the adjusted three lots; and
2. The as built survey reflecting the re-aligned three lots and reflecting 10% or less impermeable surface coverage for all lots, be submitted to the Chairman for review, approval and signature prior to filing with the Onondaga County Clerk’s Office; and
3. The lot line adjustment map and deed must be filed in the Onondaga County Clerk’s Office within sixty-two (62) days of the signing of said map or the lot line adjustment 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	Mark J. Tucker	Present	[Yes]
Member	Joseph Southern	Present	[Yes]
Member	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Elizabeth Estes	Absent	

Amendment Request Major Site Plan

Applicant: Erica Sedberry
GTS Holdings LLC
8409 Pickwick Lane
Dallas, Texas

Property:
2595 West Lake Rd
Skaneateles, New York
Tax Map #055.-03-10.0

Present: Eric Pitman, Representative; Peter Simpson, RZ Engineers

A revised plan dated May 19, 2014 was submitted reflecting the proposed driveway layout superimposed over the existing land, with a proposed woodland buffer strip north of the channel swale as a conservation area. Member Winkelman stated that the proposed woodland buffer area was walked during the site visit conducted on May 10, 2014. Mr. Simpson commented that the proposed driveway is 150' from the tributary that is north of the property. Member Winkelman commented that the proposed driveway with check dams, and drainage channel would assist with the erosion control of the area. Mr. Wickman stated he approves of the additional modifications. Member Kasper inquired whether the buffer area would be continued to be farmed. Mr. Simpson stated that the intention is to not farm the buffer area and allow it to stay green. Counsel Molnar stated that a typical conservation area usually has a filed conservation easement and inquired whether the applicant is conveying a conservation easement to the Town. Mr. Simpson stated that it was designed to be a preserved green space and did not feel it needed to be surveyed and conveyed as a conservation easement. Counsel Molnar suggested that the strip be given an alternative name to allay confusion. Member Southern inquired whether the applicant might consider placing a conservation easement on the remainder of the lot. Member Winkelman stated that the Town is looking for conservation-minded individuals placing conservation easements on their property to restrict further development of the Town. Mr. Pitman stated that the intent is to get a seventeen-acre parcel for a dwelling. The applicant may want to subdivide in the future or consider an easement, but that she is not ready to decide at this time. The site plan will reflect the buffer strip north of the channel as a "woodland buffer strip".

WHEREAS, a motion was made by Member Southern and seconded by Chairman Tucker to adopt the prior SEQRA determination for the application which was a determination that the application constitutes an Unlisted action and after review of a Full EAF, resulted in a negative declaration. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Joseph Southern, seconded by Member Donald Kasper, and upon a vote thereon, the Town of Skaneateles Planning Board **APPROVES** the Application, and amends the Prior Approval, with the Prior Approval remaining in full force and effect according to its terms, with the following additional conditions:

1. That the Revised Site Plan C-1A dated May 19, 2014, prepared by Licensed Surveyor, Paul Olszewski, be modified to include the labeling of the woodland buffer strip north of the driveway, and be followed in all respects.

RECORD OF VOTE

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

Discussion – Hidden Estates Subdivision

Applicant: Emerald Estates Properties, LP
 3394 East Lake Rd
 Skaneateles, New York

Property:
 2894 East Lake Rd
 Skaneateles, New York
Tax Map #036.-01-37.1

Present: Donald Spear, Representative; Robert Eggleston, Architect

Photographs were submitted reflecting the stormwater management system that is in place in the Hidden Estates subdivision during last Friday’s rainstorm. The April 15, 2014 resolution for the Weaver project was conditioned on the drainage improvements of the Hidden Estates subdivision being completed to the satisfaction of the Town and NYSDOT. Mr. Weaver corrected the drainage into the detention pond with the stone lined channel moving into the pond as designed. RZ Engineering also suggested that the berm that was created by the contractor in error, be cut into to capture the remaining 3% of the stormwater not draining into the retention pond.

Member Southern indicated that one of the swales was just barely handling Friday’s one-inch storm and that it will need to be remediated. Mr. Eggleston stated that the ditch is on the Goldmann property, that it drains into the NYSDOT culvert, and that the Hidden Estates detention pond drains into the NYSDOT ditch. Mr. Spear stated the Larry Hasard, NYSDOT, has verbally approved both of the systems and that the shallowness of the Goldmann swales is not problematic as any overflow would drain into the NYSDOT ditch. Mr. Eggleston stated that Larry Hasard had written correspondence dated May 15, 2014, stating that the drainage on the property is less than the pre-development level. Mr. Spear stated that there is a 25% reduction in the stormwater drainage of the property from 1200cfs to 900csf. Mr. Wickman stated that although he has not reviewed the installation, he believes the storm sewer crossing Route 41 can handle the stormwater flow. Mr. Spear stated that any water flowing over the driveway is from the Pajak property and that NYSDOT has requested that the Pajaks run a swale along the road north of their driveway.

NYSDOT has requested that the stone dam within the DOT ditch line needs to be replaced with a poured or precast concrete overflow weir with a designed crest elevation. Mr. Spear inquired as to the Town’s reasoning for the discharge of stormwater to the southern culvert instead of the northern culvert. Chairman Tucker stated that it was determined to be the best location so as not to affect other properties in the area. Mr. Wickman stated that DOT is looking for a permanent structure for the concrete weir as stated in their letter.

Mr. Eggleston stated that the deficiencies have been remediated and that a highway permit will be obtained to complete the concrete weir. He requested that the building permit for the Weaver barn be issued so that Mr. Weaver can continue with the work to be done to complete the building. He continued stating that the resolution is confusing to follow. Mr. Wickman stated that the intent was for the drainage remediation, including the installation of the concrete weir, was to be completed prior to issuance of a final building permit to Weaver. Mr. Eggleston and requested that the Weaver resolution be modified to be contingent upon the remediation work being completed prior to a certificate of occupancy being issued for the Weaver project so that Mr. Weaver can continue with his construction. Chairman Tucker stated that he does not support withholding a certificate of occupancy for the work not being completed as experienced in the past as people will use the building without a certificate of occupancy being issued. Chairman Tucker also reminded Mr. Eggleston that he stated that the work would be completed when National Grid was install utilities at the last Planning Board meeting. Mr. Eggleston stated that National Grid takes three months before they install the utilities and that Mr. Weaver had completed the drainage remediation without waiting for National Grid. He continued stating that Mr. Weaver is being held accountable for the drainage remediation work that is not his responsibility. Counsel Molnar stated that the caution the Board is taking is based on conditions satisfied prior to a certificate of occupancy has been ineffective in the past.

Member Southern inquired on how an assurance could be given to the Board that the concrete weir will be installed. Member Southern suggested that an assurity bond could be created and with the bond in place, the building permit could be issued to Mr. Weaver. Mr. Spear stated that Larry Hasard suggested that stacked concrete parking lot bumpers secured with rods could be used to construct the weir. Mr. Wickman stated that NYSDOT would need to approve the plan for the construction of the weir. Mr. Spear stated that the weir will take only 15 minutes to construct and that an assurity bond would be a waste of time. He continued stated that Larry Hasard had discussed how the weir could be constructed in a phone conversation today.

WHEREFORE, a motion was made by Member Winkelman that Mr. Weaver has shown good faith and that the Weaver resolution be revised to allow a building permit to be issued, with a certificate of occupancy withheld in the event of the cement weir not being installed. There was no second and therefore the motion failed.

Mr. Eggleston stated that he is trying to not have Mr. Weaver get his lawyers involved with the project. Member Southern stated that the permit would be issued when the subdivision conditions have been met. Mr. Spear stated that the wier requirement was not part of the subdivision approval. Chairman Tucker stated that the approved subdivision plan had the drainage directed to the southern culvert and that was not followed, with the drainage swales being directed to the north and requiring a weir. Mr. Spear stated that it was Goldmann's requirement that was not executed. Mr. Eggleston stated that a stone channel would be placed in the detention pond to satisfy one of the prior conditions, and they will obtain a highway permit and install the concrete weir with final approval by NYSDOT.

Counsel Molnar suggested that the Weaver site plan resolution be amended to reflect the conditions stated above.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Chairman Mark Tucker, seconded by Member Joseph Southern, and upon a vote thereon, the Town of Skaneateles Planning Board hereby **APPROVES** the Application and amends the Prior Approval Conditions, to henceforth read as follows:

- A. Before** issuance of a foundation only building permit the following conditions shall apply:
1. That Special Permit 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.
 2. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$500; and
 3. That the March 24, 2014 site plan with construction sequence be updated to include contours around the two proposed rain gardens and indicate location of the drain outlets be submitted for review and approval by the Planning Board Chairman and Town Engineer; and
 4. That the Hidden Estates drainage remediation plans are submitted for review and approval by the Planning Board Chairman and Town Engineers; and
 5. That a foundation only permit be issued after the drainage remediation plans have been approved by the Planning Board Chairman and Town Engineer.
- B. After** issuance of a foundation only building permit, but prior to issuance of an unconditional building permit for completion of the entire Project, the following conditions shall apply:
- A. A NYSDOT highway work permit be obtained to construct a concrete drainage weir in the state right of way ditch as requested by NYSDOT, Larry Hasard; and
 - B. The concrete drainage weir be installed in the state right-of way ditch as outlined in NYSDOT letter dated May 15, 2014; and
 - C. NYSDOT letter of approval of the completed work be submitted to the Planning Board Chairman;
- C. After** completion of the drainage remediation in conditions noted in B above:
1. A final building permit may be issued for completion of the entire proposed project; and
 2. The Narrative dated February 28, 2014 prepared by Robert Eggleston, Licensed Architect, be followed in all respects; and
 3. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of all phases of the completed project within (60) days of completion of the project.

RECORD OF VOTE

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

Executive Session

WHEREFORE a motion was made by Member Southern and seconded by Chairman Tucker to enter an executive session to discuss potential litigation. The Board having been polled resulted in favor of said motion.

WHEREFORE a motion was made by Member Southern and seconded by Member Kasper to return from executive session. The Board having been polled resulted in favor of said motion.

The Board returned at 9:36 pm; and,

WHEREFORE a motion was made by Member Kasper and seconded by Member Southern to adjourn the meeting. The Board having been polled resulted in favor of said motion.

Respectfully Submitted,

Karen Barkdull

Karen Barkdull, Secretary/Clerk