

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
July 17, 2018**

Joseph Southern
Donald Kasper
Scott Winkelman
Douglas Hamlin
Anne Redmond
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. There will be a Planning Board Special Meeting on July 24, 2018 at 6:30 pm to discuss the FEIS for the Loveless Farm Development application. The meeting minutes of June 19, 2018 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

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

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Vice Chair	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Amendment Request –Site Plan Review

Applicant Robert Curtis Coville
 4012 State Street Road
 Skaneateles, NY
 Tax Map #029.-03-07.2

Present: Curt Coville, Applicant

The existing 10.3-acre parcel has an existing garage with a two bedroom dwelling above that had received approval in 2015. The original approval was before the lot was merged with the lot to the south, and included the shared driveway entrance. As the applicant’s family has grown, the need for most space has emerged. Proposed is a modular four bedroom single-family dwelling and driveway extension to be located on the property with the existing 2-bedroom dwelling remaining. There will be a separate septic system installed for the proposed dwelling that is pending with OCDOH. The location of the dwelling is more than 100 feet from the seasonal creek that runs on the west side of the property near the road.

The culvert for the existing driveway was sized larger than originally planned and is 24 inches in diameter. Mr. Camp inquired on the design of the driveway. Mr. Coville commented that they would like to maintain the vegetative buffer between the two dwellings for more privacy in the event the two-bedroom dwelling is rented. There will be a footpath between the two dwellings. Member Kasper

inquired if the electrical service will be coming from the existing garage. Mr. Coville said that he is still in conversation with National Grid on determining if it will be a separate line as they also want to have gas connected and the proposed dwelling is set back further from the road than the existing garage.

The location of the proposed dwelling is designed to comply with the zoning code so that it could be subdivided in the future although that is not the applicant's intent. The Onondaga County Planning Board had commented that the applicant maintain the existing vegetation and tree cover as much as possible particularly in the watercourse setback to provide a stream buffer for water quality protection in the resolutions dated July 3, 2018.

Member Winkelman inquired on the speed limit in front of the property. Mr. Coville said that it is 45 mph but increases to 55 mph just north of this property. He continued saying that there will be a light that will be installed at Old Seneca Turnpike that may affect the speed of the vehicles in front of his dwelling.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Kasper to consider the proposed action as a Type II SEQR action as the construction of a residential dwelling pursuant to 6 NYCRR617.5(c)(9) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

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

RECORD OF VOTE

Chair	Joseph Southern	Present	[Yes]
Vice Chair	Donald Kasper	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Anne Redmond	Present	[Yes]

Continued Review - Subdivision

Applicant:	Mark Aberi	Property:
	Harmony Homes LLC	3125 Benson Road
	PO Box 782	Skaneateles, NY 13152
	Skaneateles, NY	Tax Map #051.-01-04.2

Present: Mark Aberi, Applicant; Bob Eggleston, Architect;

The applicant is working on the septic approvals and engineering for the proposed subdivision. As the applicant is working on additional information to provide to the board, he would like to continue the application until next month's Planning Board meeting.

Sketch Plan – Site Plan Review

Applicant:	John Swygert	Property:
	104 Airline Lane	1914 West Lake Road
	Hummelstown, PA 17036	Skaneateles, NY 13152
		Tax Map #058.-01-07.0

Present: Bob Eggleston, Architect;

The 51,515 square foot lot has 156 lineal feet of shoreline, with a nonconforming dwelling and shed on the property. The proposal is for the demolition of the existing dwelling and shed, and construction of a single family dwelling with deck, new septic system and proposed detached garage with bonus room above. The proposed dwelling will be conforming to the lake yard setback and all other setbacks. A small shoreline shed will be added near the existing deck, stairs and dock. Impermeable surface coverage will be at 10% with open space proposed at 88.7%. Shoreline structures including the proposed shed will be 597 square feet, under the 600 square feet allowed for this lot.

The drainage plan reflects a swale east of the septic field with an intercept draining that will lead to a grassy bio-retention with underdrain that will drain to the lake. Mr. Camp inquired if the underdrain could be connected to the pipe that runs along the north boundary. Mr. Eggleston stated that it is a possibility; however, the pipe is located on the property north of the applicants. He continued saying that they will have a discussion with the neighbors.

Member Winkelman inquired about the steep slopes located along the south side of the property. Mr. Eggleston said that they will be doing a small amount of grading near the proposed dwelling, but leaving the steep slopes undisturbed. He continued saying that the property to the south is at a higher elevation to the applicants, and that stormwater runs onto the applicant's property. A site visit will be conducted on August 4, 2018. The application will continue at next month's meeting.

Sketch Plan – Site Plan Review

Applicant:	Dennis & Catherine Yost	Property:
	110 Montgomery St #401	2111 Lakeview Lane
	Syracuse, NY 13202	Skaneateles, NY 13152
		Tax Map #057.-03-12.0

Present: Bob Eggleston, Architect;

The proposal is for a three bedroom single family dwelling with deck located on a 25,649 square foot vacant lot with two front yards. The proposed dwelling meets all setback requirements and is proposed at 9.9% floor space and 5.9% footprint. A new modified raised bed septic system is being designed to be located on the east side of the lot with the well located on the west side of the lot. The septic field will be supplemented with twelve inches of topsoil A 98 square foot shed will be added to the rear of the property, with the proposed impermeable surface coverage of 9% and open space proposed at 88%.

The drainage plan reflects a swale on each side the dwelling that will lead to a mowable bio-swale located southeast of the septic fields. There is an intercept drain from the bio-swale that will drain to the right of way ditch that eventually drains to the lake. The bio-swale will control the stormwater above the septic field so that it will not enter the field. Mr. Camp recommended that the dimensions and side slopes of the bio-swale be placed on the plans so that they are constructed to the correct dimensions.

Member Winkelman inquired on the conditions of the existing lot. MR. Eggleston said that there are some mature trees on the lot, with some of them being removed for the development of the property. There are lake rights connected with the property with the association.

Mr. Camp inquired on the size of the culvert for the driveway. Mr. Eggleston said that it has not been designed but would probably be twelve inches. Debbie Williams commented that there is a drain that is located at the southeast corner of the neighbors to the north lot located in the right of way of the road that

goes to a culvert underneath the road that has been crushed. The pipe then drains directly to the lake. The neighbor to the north has his leach field located alongside the proposed septic field. Both of the fields are near this drain. A site visit will be conducted on August 4, 2018. The application will continue at next month's meeting.

Sketch Plan – Site Plan Review/Special Permit

Applicant:	Geoffrey Stockwell	Property:
	14 Sennett Ave	3125 Benson Road
	Singapore 467021	Skaneateles, NY 13152
		Tax Map #051.-01-04.2

Present: Bob Eggleston, Architect;

The existing 35,223 square foot lot that has an existing dwelling, deck, shed, and stairs to the lake and dock. The existing impermeable surface coverage is 17.9% with 79.5% open space. Proposed is a 594 square foot detached garage with bonus room on the second floor. There will be an expansion of the deck located 83.4 feet from the lake line that will not make the dwelling and deck any more nonconforming, including a set of stairs on the south side of the deck that will encroach into the side yard setback as allowed per the town code. A portion of the circular driveway and two sets of shoreline steps will be removed from the property. The proposed garage will be 94 feet to the watercourse located on the property to the south, and is conforming, as the structure is less than 600 square feet. Floor space and footprint will be conforming.

Also proposed is a 240 square foot shoreline deck with new stairs that leads to a storage shed that will be placed on a relocated dock. The stairs will lead from the deck to the top of the shed then proceed down to the dock. There will be a two level rock face wall that will be set back into the bank running across the entire length of the shoreline for stabilization and to control wave attenuation. Shoreline structures will decrease from 382 square feet to 373 square feet and under the 600 square feet allowed for this lot. The erosion control plan for the lakefront will consist of a 10-foot wide planting berm at the top of the bank with an underdrain, and the bank itself covered with jute and vegetation. At the lake line will be the stonewall with the stone face approximately two feet high and stair stepped. Mr. Camp inquired where the underdrain would drain to and Mr. Eggleston commented that it would drain down to the lake in the area behind the stairs. Member Winkelman inquired on the size of the slope. Mr. Eggleston said that it is over 30% slope and may be 40-50%.

The proposed impermeable surface coverage is 12.2% with open space increased to 83.6%, and the applicant is prepared to contribute \$8,476.93 to the Town's DRA fund for the overage in impermeable surface coverage. Mr. Camp inquired on the width of the driveway and Mr. Eggleston commented that it is about ten feet wide. A site visit will be conducted on August 4, 2018.

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Hamlin to schedule a public hearing on ***Tuesday, August 21, 2018 at 6:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Continued Review-Special Permit

Applicant:	Chris Graham	Property:
	Trillium Homes Inc.	4331 Jordan Road
	4302 Jordan Road	Skaneateles, NY 13152
	Skaneateles, NY	Tax Map #024.-02-01.1 & 024.-02-01.2

Present: Chris Graham, Applicant; Bob Eggleston, Architect;

At the Town Board meeting on Monday, the Board scheduled a public hearing for the zone change for August 20, 2018 at 7 pm. They will also be circulating their request to be lead agency on the application for the zone change. Both this board and the ZBA had made positive recommendations on the zone change.

As a Hamlet district, although impermeable surface coverage maximum is 50%, the stormwater still needs to be managed so it is not a detriment in the area. To prepare the stormwater plans the density of the dwelling units needs to be addressed. The parcel is six acres and for building houses on it as a dimensional two table due to the mixed-use aspect of the property, it would be allowed one acre per dwelling unit. The property could support six dwellings on the property, without any restriction of what is buildable or unbuildable land.

The multiple family section of the code states that the density is four dwelling units per acre on buildable land in the Hamlet district. The City of Syracuse easement slopes greater than 30% and slopes between 12-30% are not included. Although land with slopes greater than 12% but less than 30% are classified as unbuildable in terms of density, they can be built upon in our code. That would leave four acres of buildable land that could have 16 dwelling units. In regards to the two family dwelling, the code does not regulate buildable or unbuildable land requirement. The two family dwelling unit is included in the unbuildable land calculation. Density calculations are also silent on the office/storage building on the property.

There will no additional development of the lot if the 16 dwelling units are approved. The comprehensive plan supports the alternative housing, which is lacking in the town today. Member Kasper commented that if the design was for more of a condo style rather than the proposed townhouse style, the units could be in three buildings and use less of the land. Mr. Eggleston said that the townhouse style affords level sound permeation in the dwellings from other dwellings. He continued saying that the overall design of the building is more in keeping with the Hamlet guidelines and the garage doors will be facing into the courtyard rather than the street to provide more of a Hamlet feel. Also with this property, the septic system will function well due to the sandy soils on the lot.

Counsel Molnar inquired on the density calculation if two acres were removed for the two family dwelling. Mr. Eggleston stated then the maximum density for the multifamily dwelling units would be an additional eight units. He continued saying that there is a conflict in the calculations in the zoning law. He recommended that the zoning law be amended to reflect that unbuildable land should be land of 30% or more slopes. Counsel Molnar inquired on the slopes in the septic area. Mr. Eggleston commented that the septic area is in the 12-15% slope area and is allowed for septic design. Mr. Camp said that the septic design allows for slopes by widening the fingers of the leach lines as the slopes become greater. The percolation rates of the test holes were two to five minutes, due to the sandy soil.

The impermeable surface coverage is allowed at 50% and is proposed at 20.2%. Mr. Eggleston commented that the more dwelling units you have for the apartment project the more viable the project is and this would fit in with the comprehensive plan goals as well as the Hamlet district. Chairman Southern commented that he is concerned about the number of acres occupied already that should be subtracted from the buildable area. An occupied area is not buildable. Mr. Eggleston stated that for density calculations only, the land 12% slope or greater has to be counted, however the zoning code allows for building in areas of 12% slope to 29% slopes. For the existing two family there is five and a half acres for building since the density is not determined by any slopes on the land. Chairman Southern commented

that you have to remove the amount of area the two family dwelling occupies. Mr. Eggleston said that then you are removing 1600 square feet of the land that the dwelling occupies.

The Planning Board has the final determination on the density of the property. Mr. Camp suggested that the board take another site visit and determine if the property would have a density that would be acceptable to the board. Member Kasper said that it would be dense as Hamlets have a higher density, and that the property will have a lot of green space on the lot. Member Redmond inquired on the size of the units. Mr. Eggleston stated that the two bedrooms would be 1600 square feet with some of them having walk out basements and the end units being single story; 25% of all of units will be accessible units. Member Hamlin inquired as to the total area the units will occupy. Mr. Eggleston stated that the units will occupy 25,312 square feet, and with the additional structures and driveways, it will be approximately an acre and a half, leaving 78% of the area as green space on a 6+ acre parcel.

Member Kasper said that it meets the town zoning. Chairman Southern commented that the square footage of the two family dwelling and the service building should be removed from the calculations. Member Kasper said that the two family dwelling should be counted as two units. Mr. Eggleston commented that the problem he has with that thought is that the zoning code says that you take out easements and slopes greater than 12%. It does not say that you take out building footprints of existing structures. Member Kasper commented that you would have 18 dwelling units on that one piece of property.

Mr., Eggleston added that two units are two family and the other 16 are multiple family, He continued saying that it is only the multiple family classification that has the buildable density area requirement. Member Redmond said that considering the 16 units, you could not consider the area where there are structures as it is not buildable. Member Kasper commented that leaving the footprint out of it, then there are 18 units being placed on the property. Member Eggleston said that you would 4.5 acres for the density if you were going to count the two family dwelling in addition to the proposed 16 units.

Counsel Molnar reminded the board that the density determination is not an approval for the project but only a conceptual design for the overall advancement of the SEQR process. The board is reserving right for a later date, the board is conceptual thinking what would be welcomed by the board for the density. Mr. Eggleston said that they want a good faith representation so that the engineer can advance on the project. Chairman Southern inquired if the board wants the square footage of the existing building subtracted from the buildable area. Member Kasper suggested that it be counted as building area, but also count the units for density. Member Redmond commented that there might be a definition issue with including the two family dwelling in with the multifamily units. Mr. Eggleston stated that they are defined differently in the code. A site visit will be conducted on August 4, 2018.

Continued Review - 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, Applicant; John Langey, Attorney; Robert Eggleston, Architect; Rudy Zona, RZ Engineering;

Mr. Langey summarized the last meeting dry run of the SEQR review, stating that the review was conducted with the vast majority of the comments with no real concerns or significant environmental impacts. Mr. Langey asked what the intent was on SEQR at this meeting. Counsel Molnar commented that we had only received one response to the lead agency request on the re-circulated SEQR for the

project, and that the board is still gathering information. He continued saying that there are still questions from the board on the engineering and open issues. Mr. Langey stated that he would like to touch on this issues that appear open from his notes from the last meeting. The long form EAF has been re-submitted to the board.

Mr. Langey began with questions:

1b. Impacts on land and construction slopes. What will the impact be on slopes and based upon construction on those slopes? We are going to minimize those impacts through slope stabilization methodology.

1.f. Erosion. The response is that the developer would use accepted construction practices and phasing to mitigate erosion. How we are going to deal with erosion is through the SWPPP and acceptable construction practices.

3. Impact on surface waters. The board pondered the upland erosion and turbidity. Response is erosion control measures are through the SWPPP. This would be something the engineers would review and determine if it is acceptable.

3h. Erosion of soils. What would the downstream water impacts be? There is an engineering answer to that and it will also be addressed through the SWPPP that the town engineer would review that will provide controls to mitigate any concerns.

17. How the project dovetails with community plans. There was one board member with concerns. It does comply with the approved development patterns because it is zoned for residential housing and this is a conservation subdivision plan that fits in with that. There are no concerns from the developers perspective, and we would like the board to consider that the proposal fits in with the regulations. Member Winkelman commented that in the community plans it discusses preserving steep slopes, especially in the watershed. He continued saying that the crux of this is accessing those lots on top of the hill, all of the engineering that needs to be done in this watershed, and if it is appropriate for this watershed.

18f. Is the proposed action inconsistent with the proposed landscape. It is the applicant's position that because of the zoning for the subdivision and that it will be placed in a conservation setting. That it has been mitigated to the best of the applicant's ability.

Mr. Langey continued saying that a conservation easement draft had also been submitted to the town, and we are awaiting a formal response from the town. The conservation easement does comply with the regulations and noted that the full conservation findings have not been made by the board. Counsel Molnar stated that adoption of the conservation finding could arguably be an approval, which should wait until SEQR is complete. Mr. Langey stated that they are proposing to keep the vast majority of the property perpetually protected with the conservation easement. He continued saying that other than the nine building envelopes themselves, there would be permanent protection from any type of development. He continued saying that they have contracted with Appel and Osborne to create the conservation finding for the board.

The road design was another issue that Mr. Zona can present to the board. Mr. Zona stated that most of the work being done to widen the road and bring it into compliance with the 12% grade or less will be done within the confines of the existing road. There will be excavation and filling where the existing road is with some encroachment of the banks. The slopes that are typically graded on a 3 on 1 slope, they will be 1 to 1 with some soil stabilization products that are generally accepted by the NYSDEC. Instead of going three times the width of the excavation, they will only go one time or one foot. All of those impacts have been attempted to be minimized when constructing the road.

Member Hamlin commented that Mr. Camp had some concerns with the existing driveway tie ins to the relocated road. Mr. Camp stated that it has not been made clear that some of the driveway tie ins were

going to be interrupted or modified. It was not clear where the limits of the work would occur. It is difficult to determine if they would follow the property lines. Mr. Zona stated that there are four connections to the existing driveway and the two at the top will be the same. The one that will be different is the Weavers, and he will get an extension of his driveway to the new road. The new road and the extension will be located on lot 3. Mr. Weaver has to agree to the extension and has. The Nangle lot does not need to agree to the extension as they already have an easement on lot 3 with the easement being relocated on lot 3. They have a right of way on lot 3 that can be adjusted and with the subdivision they will have an easement on the future lot 6. The conservation road location will be different from the existing driveway location; however, they will still have legal access. Member Kasper inquired on the elevation change for the driveway. Mr. Zona commented that it will be less than 10%, with the lots higher than the road.

Mr. Camp inquired on the lot line for the Weaver property in conjunction with the road. Mr. Zona commented that all of the grading of the road will occur in the road area. Mr. Camp stated that with the grading of the road, the Weaver property line along the road will become a peaked ridge. Mr. Eggleston said that it will be a berm. Mr. Camp said that it will have a point at the top and that it is not realistic with grass. He continued saying that there is no grading setback with the town code, and that the road is going to be very challenging to build and maintain. He continued saying that the northeast side of the road is proposed at a 100% slope located inside the high conservation area, with a 20-30 foot width. Counsel Molnar inquired on the height difference. Mr. Camp said 10-15 feet in elevation change up the slope. Proposed is very steep with 100% slope and there will be a lot of cut in the switch back of the road. Counsel Molnar inquired on the amount of cut. Mr. Camp stated that the depth is upwards of 17 feet, and that a volume has not been provided. The board would need to see a grading plan as to where all of the cut will be going on site, although the claim is that there will be nothing disturbed outside of the building envelopes.

Mr. Eggleston said that that the berm will be 4-5 feet high on the south side of the bank that will eliminate a guardrail needed. Mr. Zona said that there will be a groove cut into the back to establish the road to achieve the 12% slope maximum for the road. Mr. Eggleston commented that the road is sloped so that all of the drainage goes on the inside to the water quality pond.

Mr. Camp stated that his primary comment is that the proposal has a lot of earthwork that will result in a lot of very steep slopes, much steeper than what exists. He continued saying that it will feel like a bobsled track making for an unusual road. Mr. Zona said that the slope is less bobsled than what is there now. Mr. Eggleston said that the design for the road is conforming to the code maximum of 12% slope with an eighteen-foot wide drive path. Member Kasper requested that a cross-section of the road be provided to the board.

Mr. Eggleston stated that a lot of the cut for the road will be into shale and not clay. Member Kasper inquired about the proposed fill where the Goldmann driveway is located. Mr. Zona commented that it will be 6-8 inches with everything staying in the right of way. Mr. Zona said that what is done here is because of the town code, and will be safer and less extreme than the existing driveway.

Member Hamlin inquired if the areas will be stabilized with grass. Mr. Zona said that there will be soil erosion measures on the slope especially on the one on one areas to ensure that it stays in place. Mr. Eggleston said that it will be rock over fabric. Mr. Camp inquired what will grow on shale. Mr. Zona commented that the shale will need to be top soiled and that it would look just as it does today. Mr. Camp commented that it is challenging to get vegetation to grow on a one on one slope. On the lot 3 side, the area will be disturbed beyond the road easement.

Mr. Langey said that there will be a developer agreement for the construction and maintenance for the road that is normal for most projects of this size and type. The perpetual care and maintenance of the road under code §131-2, there are two options for a developer with option one establishing a home owners association to address the care and maintenance of the road, and option two is a recorded permanent maintenance agreement that provides the same protections equal or better that an HOA arrangement would provide. A proposed perpetual road maintenance agreement has been drafted and circulated, that would also include any stormwater management facility prior to submission to the town .The second option would require Planning Board approval. Member Kasper inquired who would own the road with the second option. Mr. Langey stated that a separate entity would be created that would consist of the individual owners of the lots in the subdivision. He continued saying that it is a HOA by another name. Mr. Eggleston stated that the fee ownership of the various lots would have an easement with the easement being maintained by the permanent road agreement.

Counsel Molnar stated that 131-2G does address the need for formation of a HOA to provide the care and maintenance of the road. Mr. Langey said that that section of code allows for the Planning Board to waive the requirement of a private road maintained by a HOA if it finds that a common driveway maintenance agreement will provide the same protections to lots owners and the town. Mr. Langey said that they are also considering the potential for an HOA of the nine lot owners with the potential for the other lots to join is being considered. Member Winkelman asked what the advantages of one over the other. Member Kasper commented that the agreement will cost the developer less as the formation of an HOA is expensive. Mr. Spear said that both options are in essence a corporation with the HOA being filed to the NYS Attorney General and the agreement not requiring a filing.

Mr. Langey stated that he had received correspondence from Counsel Molnar regarding the shared lakefront and he will be responding in the near future. Counsel Molnar stated that additional items from the prior Planning Board files including the approved shared lakefront resolution from 2009 when the entire lot B/Marchuska lot was fully integrated into shared lakefront integration. Mr. Langey requested that a copy of the resolution be sent to him as well.

Attorney Advice Session

WHEREFORE a motion was made by Chairman Southern and seconded by Member Hamlin to enter an attorney advice session. The Board having been polled resulted in favor of said motion.

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

The Board returned at 8:50 pm.

WHEREFORE, a motion was made by Member Hamlin and seconded by Member Redmond to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 8:50 p.m. as there being no further business.

Respectfully Submitted,

Karen Barkdull, Clerk