

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
July 19, 2016**

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

Chairman Tucker opened the meeting at 7:30 p.m. The meeting minutes of June 21, 2016 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 Southern to approve the minutes as corrected. The Board having been polled resulted in the unanimous affirmance of said motion.

RECORD OF VOTE

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

Public Hearing –Subdivision

Applicant:	Nelda Amidon	Property:
	PO Box 502	1939 Coon Hill Rd
	Skaneateles, NY 13152	Skaneateles, NY 13152
		Tax Map #035.-02-09.1

Present: Dale Amidon, Richard Schmidt, Representatives

No one wished to have the public notice read. The Onondaga County Planning Board commented that all existing and future access for proposed lots 1 and 2 must occur from the existing driveway/access lane, and no additional access shall be permitted from either proposed lot in their resolution dated June 8, 2016. The City of Syracuse Department of Water had no comments in their correspondence dated July 19, 2016. The ZBA granted variances for road frontage of 200 feet for lot 1 and 196.4 feet of road frontage for lot 2 in their resolution dated July 5, 2016. A site visit was conducted on April 16, 2016.

The applicant is proposing a two lot subdivision of the 15.7 acre lot with lot 1 being a two acre lot with the existing dwelling, and lot 2 being 13.7 acres of vacant land with a 30' access easement. The property is located on Coon Hill Road, a county road that requires 300' of road

frontage for a conforming lot. The applicant would like to subdivide with lot 1 having 200' of road frontage and lot 2 having 196.4' of road frontage. The vacant land is actively farmed and would continue to be farmed. Both of the parcels have a purchase offer pending, with lot 2 potentially being acquired by Mr. Teufel, neighbor that has access off the existing easement. Mr. Schmidt stated that if there were a house that would be built on lot 2, it would be located along the road frontage instead of being located in the rear of the existing dwelling on lot 1.

Vice Chair Southern inquired if the lots have been pinned. Mr. Schmidt stated that they have been pinned. Vice Chair Southern requested that the subdivision map indicate where the pins are located with a circle notation. Mr. Amidon stated that their intention is to maintain only the two access areas off Coon Hill Road. Mr. Schmidt commented that lot 1 would use the existing driveway and that lot 2 would use the existing easement that is casually called Hangar Road that extends the length of the property. Member Kasper commented that he had read in the ZBA minutes that the variance was conditioned on using that right of way for access. Mr. Schmidt shared an old survey of the property that reflects that the easement runs the full length of the property. Vice Chair Southern commented that the subdivision map should reflect the full length of the easement.

Counsel Molnar queried if the right of way easement mapped the abstract of title when the proposed subdivision map was created as the easement is not reflected down the full length of the property, and the survey does not reflect a book and page, and as such does the subdivision map reflect the easement properly. The 60-foot easement crosses the property line with 30 feet on the Amidon property. Member Kasper inquired if the far southern property that borders the existing property has easement rights. Mr. Amidon stated that it does and though that the surveyor just ended it by Mr. Teufel's property. Counsel Molnar stated that the Board should be informed as to the reasoning why the easement was stopped or why it should continue down the entire property.

Counsel Molnar commented that the ZBA approval was conditioned on the Onondaga County Planning Board suggestion that all future access from that lot being created would be from the existing easement. They did that given the sight distances for access on the roadway. The applicant will verify the length the easement.

WHEREFORE, a motion was made by Member Kasper and seconded by Member Winkelman to consider the proposed action as a Type II SEQR action and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Vice Chair Southern opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Vice Chair Southern asked if there was anyone wishing to speak in opposition, or had any other comments. Mark Tucker, Rickard Road, suggested that the 30' easement be made wider in the future and that drainage should be considered as there is no way to drain the farm fields now. Mr. Camp commented that the right of way is 60' wide as there is 30' of the width on the adjoining properties. Mr. Tucker commented that the new owner of the property should run drainage tile to drain the back of the property to Coon Hill Road. Mr. Amidon stated that there is an existing ditch that runs along the easement. Mr. Tucker commented that the ditch might need to be deeper. Mr. Camp commented that there might be terms in the easement agreement that would allow access for drainage or possibly exclude drainage.

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

RECORD OF VOTE

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

Member Kasper inquired if the owner would object to the drainage easement being established. Vice Chair southern stated that the new owner could object to doing it. Counsel Molnar inquired if the existing owner was open to adding a drainage easement as well as the access to the existing easement. Mr. Amidon stated the current owner is selling the property so the drainage easement would not have any impact to her. Counsel Molnar stated that she could bind the property with the consent of the future owner. Mr. Amidon stated that there is already a purchase offer on the property. Vice Chair Southern commented that the drainage easement could be negotiated between the new owners at a future date if a new dwelling would be constructed on the property.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Scott Winkelman and seconded by Member Donald Southern, 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 dated May 19, 2016 prepared by Jay Holbrook (“Map”) be updated to reflect pin marking for the lots, indicate the full length of the easement on the property and note stating that no additional access off Coon Hill Road shall be permitted from either Lot 1 or Lot 2 except by use of the shared driveway located upon Lot 2, and which updated Map shall be submitted for the Planning Board Chairman’s review and signature within 180 days from the signing of this resolution; and
2. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance be fulfilled; and
3. The Subdivision Map and deed transferring the property 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	Mark J. Tucker	[Recused]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]

Chairman Tucker returned to the Board.

Sketch Plan –Special Permit/Site Plan Review

Applicant: Parker Family Trust Ltd
Bruce Parker
5891 Bennetts Corner Rd
Camillus, NY 13031

Property:
1422 Thornton Hts Rd
Skaneateles, NY 13152
Tax Map #057.-01-10.2

Present: Bruce Parker, Applicant

There is an existing detached two-story garage with the second floor of the garage used for storage. The applicant is proposing the conversion of the second floor to an accessory apartment. The detached garage is located on a separate parcel that is across from the lakeside parcel with the dwelling.

The two lots with separate tax map numbers cannot be merged, as there is a private drive that runs between the two parcels; however, the properties are linked together and the septic system for the dwelling is located on the parcel with the garage.

Mr. Brodsky commented that the property is a nonconforming lot and the Planning Board can approve the accessory apartment on the nonconforming lot by special permit with the condition that the lot could never be subdivided. Mr. Parker stated that they had merged the three contiguous lots, lots 21, 22 and 50, with the understanding that the lots could never be subdivided after the merger. Lot 16 is the lakeside lot with an existing dwelling and all of the lots are under the same ownership. Mr. Brodsky stated that by definition, an accessory apartment must be on an owner-occupied property, and that the property has to be tied together in some way.

Counsel Molnar reminded the Board that we have had other properties where there were two properties that could not be linked but where the applicant agreed voluntarily to forever tie in title the main property for use of its attributes to become compliant. It was managed with a restriction placed in the deed so that it would be forever restricted and owned by the primary resident.

Member Southern inquired if the lakeside property is dependent on the garage property for impermeable surface coverage or other zoning requirements. Mr. Parker stated that the dwelling was built before the garage was built three years ago. Member Kasper inquired about the location of the septic system for the dwelling. Mr. Parker stated that it is located on the property across the street with the garage. Counsel Molnar recommended that in exchange for the approval requested, the three lots across the street be tied to the primary residence by the way of a quick claim deed from the limited partnership to the limited partnership with restriction. Member Kasper commented that the Board does not want the applicant to sell the cottage separate from the detached garage with accessory apartment.

Mr. Parker stated that when he had received approval for the garage that was already done. The county would not allow the properties to be placed under one tax map because of the private road. Member Southern commented that if the lot was sold independently the house could be torn down and a large house built. Mr. Brodsky commented that the lot would still be nonconforming with all of the four lot calculations together.

Member Kasper inquired if the existing septic system could support the additional bedroom with this proposal. Mr. Parker stated that Mr. Buck had done the perc tests and determined that the septic system installed exceeded what was required and could include the garage. He did not want to do that, as the distribution box is still higher so it would have to be pumped. What he had decided to do is add an additional leach field higher on the second lot (lot 50) with a perc test being completed. Chairman Tucker stated that the Board would need a copy of the approval letter from OCDOH. The OCDOH approval is pending. The as-built survey from the garage construction will be forwarded to the Board.

Mr. Camp inquired if there will be any exterior changes to the garage. Mr. Parker commented that the door to the north will be exchanged for a pedestrian door and the door to the west will become a sliding glass door. There will be no excavation other than for the leach field. A site visit will be conducted on August 6, 2016.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Kasper to schedule a public hearing, on ***Tuesday, August 16, 2016 at 7:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

Mr. Parker inquired when the Board determination would be finalized, as the Association will be paving the road in late August and once it is paved, the heavy machinery for the septic system will not be able to go down the road without potentially damaging the new Tarvia. The Board clarified that the applicant could put in the septic system now although there is no guarantee that the Board will approve the proposal. The public hearing for the application will occur on August 16, 2016, so that in all likelihood the applicant would have the Board's decision. Mr. Parker commented that he will see if they can schedule the septic installation for after August 16th so that he could cancel it if need be.

Public Hearing –Special Permit

Applicant Shelly Strang
 3143 West Lake Rd
 Skaneateles, NY

Property:
1410 East Genesee St
Skaneateles, NY 13152
Tax Map #042.-01-11.0

Present: Shelly Strang, Applicant

No one wished to have the public notice read. The Onondaga County Planning Board commented that any driveway changes are coordinated with the NYSDOT with a permit required for work within the State right-of-way, and that the proposal be considered in the context of the location at the gateway to the Village in their resolution dated June 29, 2016. The City of Syracuse Department of Water had no comments in their correspondence dated June 3, 2016. Approval from the Village of Skaneateles for the sewer use was granted at the May 26, 2016 Village Board meeting.

The applicant is proposing an art studio, retail to sell furniture, gifts and accessories, and offer pre-package food and coffee to her customers in the first Hood building on Route 20.

Chairman Tucker commented that the Onondaga County Planning Board had not had any comments in their resolution regarding the driveway other than that if work will be done on the driveway that it be coordinated with the NYSDOT. Member Winkelman stated that they did comment on that parking should be screened. Member Kasper commented that he had read in the

submissions that the property owner has agreed to top soil and grass the recommended areas. The front area will be cleaned up. Chairman Tucker inquired if there will be any barriers placed to deter parking in front of the building. Mrs. Strang stated that the owner would just be doing the grass as he had concerns that his trucks would not be able to access the rear of the property with the barriers in place. Mrs. Strang requested that the proposed grassed areas be delayed due to the dry weather conditions.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to consider the proposed action as a Type II SEQR action pursuant to 6 NYCRR617.5(c)(7) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. Jim Lanning, Hannum Street, inquired where the location is and if consideration was given for a potential pedestrian easement for future sidewalks. Chairman Tucker stated that there has been talk of a pedestrian sidewalk on the other side of the road. Member Kasper stated that this application is only for a new use inside the existing building and it is difficult for the Board to require the property owner to do that at this time.

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

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Joseph Southern 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 and Site Plan Approval Application, with the following conditions:

1. That the Special Permit Approval shall expire if the Applicant fails to comply with the conditions stated herein within 18 months of the date hereof, or if the time limit expires without renewal; and
2. That a site plan prepared by Robert O. Eggleston, Licensed Architect, dated November 10, 2015 with narrative prepared by Shelly Strang, dated July 15, 2016 be followed in all respects; and
3. That the areas to be grassed as indicated on the aforementioned site plan be established with grass by October 15, 2016; and
4. That any proposed signage for the art studio and retail store comply with Town zoning codes.

RECORD OF VOTE

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

Sketch Plan –Special Permit/Site Plan review

Applicant: Charles Woodruff
19 Darmslatter Rd
Ringwood, NJ 07456

Property:
2875 East Lake Rd
Skaneateles, NY 13152
Tax Map #038.-01-06.1

Present: Matt Vredenburgh, Architect

The proposal is for two site improvements including replacement of a failing seawall and improvements to the drainage ditch located on the north end of the property. The proposed seawall is a modular block wall that would be placed in front of the existing failing wall. The DEC is reviewing the project although they do not normally approve of any encroachment into the lake. The Bureau of Habitat will be making a site visit and making recommendations to the DEC as to whether or not they will allow that, allow in some places, or if the seawall will need to be replaced in the exact existing location. The existing wall is made up of mortared stone on the southern half and cast in place concrete on the northern portion. The northern portion has broken up and fallen into the lake, they have tried to put steel plates against it but those have fallen into the lake. The proposed wall is for the entire 230LF of the property.

The drainage ditch coming from under Route 41 has been eroded, and the proposal is to armor the outfall with riprap. The ditch jogs onto the adjacent property before coming back onto the applicant's property. The ditch has shown exposed tree roots and is encroaching on the foundation of the dwelling. Proposed is pipe to fill in that area to keep it from getting bigger and bigger and there will be cover on the roots. Member Winkelman inquired on the last little section of the ditch. Mr. Vredenburgh confirmed and that they are also proposing outlet protection at the outfall to help reduce the plumes out into the lake.

Mr. Vredenburgh stated that he would like to meet with C&S Engineers before the next meeting to incorporate any suggestions received. Chairman Tucker inquired if Justin Marchuska, adjoining property owner to the north, will be contacted as the ditch also falls on his property. Mr. Vredenburgh stated that they have not. Mr. Camp inquired if there was riprap that has been used on the ditch. Mr. Vredenburgh stated that there is some riprap there, but that there is also drainage tile.

Member Winkelman inquired if wave attenuation has been incorporated into the seawall design. Mr. Vredenburgh stated that typically the DEC requires it so that there will not be any scouring at the base of the wall so in front of the proposed wall is stone rip rap. Member Winkelman inquired about the stepped design of the seawall. Mr. Vredenburgh stated that it is stepped back only by an inch or so. Mr. Camp stated that an angled wall would help to dissipate the wave energy.

Mr. Camp inquired if the proposed seawall will recreate the top of the existing wall, although there is not much yard in the area. Mr. Vredenburgh stated that they are but are not intending to change the elevations. Mr. Brodsky inquired that if the DEC approves the proposed wall, how much further will it extend into the lake. Mr. Vredenburgh replied that it would be three feet and that taking out the existing wall would be a complicated process with the potential for the wall to fall in to the lake, or conversely, the land would have to be cut back further and there is not much area for that. The existing wall will be buried in most areas with removal of the failing wall in some areas.

Member Winkelman inquired if there was another culvert on the south end of the property. Mr. Vredenburg stated that there is another culvert to the south but that it lies just beyond the applicant's property line.

Public Hearing Continuance-Special Permit/Site Plan Review

Applicant: Mark Congel / 5 Fires LLC
3395 East Lake Road
Skaneateles, NY 13152
Tax Map #041.-01-21.0

Present: Mark Congel, Applicant; Wayne LaFrance, Architect; John Langey, Attorney

Mr. LaFrance: We will start at the beginning, there is an existing garage in poor condition that needs to be replaced. It will be relocated and attached to the house. We have had a lot of back and forth over the past few months, and taking a lot of the suggestions from both boards. The variance was granted by the zoning board and we have gotten down to basically parking. A couple of points, the project maintains the current aesthetic for the neighborhood as it is an improvement, the project increases the value of the current properties nearby in the surrounding neighborhood. The project, which is very important to the client, improves the lake yard by removing unsightly vehicles from the lake yard, and that is a very important factor of this project. Parking has to accommodate many drivers, as this is a large growing family with many young drivers and many visitors. The owner has improved the landscaping significantly, taking out overgrown and dead trees, and heavy brush improving sight lines for himself and his neighbor. North side, east side and other areas had heavy growth down by the lake proper. The applicant has refurbished and repaired the existing structures, both the cottage and shed has been improved. Extensive landscaping on the property has been done for improvement of the property. The applicant is a very good neighbor and does not want to negatively impact the neighborhood. They have done everything they think they can do up to and including a reduction from 13.5% to 12.9% impervious coverage.

Mr. Langey: The board considering the application as it stands now, there has been no identified impact to the lake or the environment, or drainage to the surrounding properties. There are no physical impacts to the surrounding properties or any other environmental consideration. We would like to consider it on its own merits.

Mr. LaFrance: Another thing to add is that the client made the promise that if he disturbed anything that he would put it back in place. There is a possibility of utilities on site, we have proven that this is not the case however, bearing the unforeseen, the client has agreed to put back in like kind anything that is disturbed. They are trying to be good neighbors and make an improvement here. The house is of a substantial age and he has improved it over time. We did get very late this evening, some signatures with a lot of the neighbors in agreement with the plan that has been presented. The immediate neighbors to the north, to the south, to the east are in agreement. Mark has spent much time explaining what he is doing and they have approved what they have seen., so there is no opposition from the immediate neighbors.

Member Winkelman: What are the names of the neighbors that have signed the letter, Bersani to the north.

Chairman Tucker: Richard Way is one of them.

Mr. LaFrance; Dave Belinski, Elizabeth Belinski.

Chairman Tucker: Bill Lynn.

Member Winkelman: Bill Lynn is to the south. That is not all of the neighbors. There are some letters, some from the immediate neighbors, the ones to the east and the northeast that have been concerned about this. Not everybody in the neighborhood is on board with this.

Chairman Tucker: There was also someone today with parking on the lane, and Mr. Rice did not want parking along the lane. I was out there Monday and there are people parking along the lane further up on the lane. I can see that they do it constantly as you can see that there is no grass where they are parking.

Mr. Langey: And on that point, we believe that this proposal will help at least with the Congel property, alleviate any additional parking along the lane as they frame their guests onto the property and park in proper locations.

Chairman Tucker: The neighbor to the east has a concern of the cars, what if the driveway was to the west of the house with the garage access on the west side of the house.

Mr. LaFrance: One of the main points was to get the cars out of the lake yard, and that was a driving point to this. It was not desirable for the client to have them on the west side, the lakeside, and that was a benefit to more than just the client. I do want to point out that the property to the east has their driveway coming off of the lane in at the same angle and at the same position almost adjacent. The cars are already there on their property.

Chairman Tucker: They have a deck also.

Mr. LaFrance: Deeper into the property there is a deck. As far as getting into a car and starting it up, it is roughly the same.

Chairman Tucker: We had a drawing that came out that Scott had mentioned that the center section had been raised.

Mr. LaFrance: The center section is not to be raised. There have been multiple things that have been done, we have purposely kept on the addition that is a half story down relative to the existing house. The overall house could have been higher and we purposely tried to keep it down a half a story and we are not building on top of the center portion, deferring to the neighbors. Trying to maintain what few sight lines are already there.

Chairman Tucker: In the past, I felt like the addition is almost as high as the peak on the existing dwelling, it does not look like a half.

Mr. LaFrance: just a few feet lower. As far as the floorplans go, it is lower.

Member Winkelman: What is the impermeable surface at.

Mr. LaFrance: The impermeable is at 12.9%. It was at 13.5% and after multiple tries got it down to 12.9%, and that is where we left it last time we met.

Member Winkelman: And the code requires 10%. That is a standard thing we do to protect the water quality in the lake, and that is what we strive for to get it to 10%.

Chairman Tucker: We have not gotten there.

Mr. Langey: We appreciate the comment and we are aware of the regulation. We have made effort to bring it closer to 10%, which the board would like. I would comment again, that there is nothing in the record that evidences that 12.9% will have any detrimental impact to the lake or surrounding properties. We are making the existing condition better with the proposal and we think that is a positive over just attempting to get down to the number of 10% which just happens to appear in the code. There is no evidence we have received so that that this would be detrimental to any surround property or the lake. We do understand the request.

Chairman Tucker: At this time we will continued the public hearing for the special permit/site plan review for Mark Congel/Five Fires LLC. Those who would like to speak in favor of the proposal please state your name for the record. No one spoke in favor of the project. Is there anyone wishing to speak in opposition, or had any other comments, please state your name for the record..

Sheila Weldon, neighbor to the northeast: I wondered if there was anything different from these current verses last month's plan.

Mr. LaFrance: As far as parking, there is no difference. We did minor tweaks at the suggestion of this board at the mouth of the driveway at the front of the house, but we kept it still at 12.9% and the parking has remained the same.

Ms. Weldon: So there is still six on the south side?

Chairman Tucker: Four and one.

Mr. LaFrance: Part of that was for purposes of parking off the lane.

Ms. Weldon: IF they get approval for this could they build across without any kind of new variance or anything? There was a plan like that at one time.

Chairman Tucker: They would have to get a building permit.

Counsel Molnar: Permit requirement but there would be no further review by the planning board.

Ms. Weldon: That is what I thought. That is definitely a possibility down the road. As the lawyer and architect said, Mr. Congel has had conversations with the neighbors but not with me and I live on the northeast side and he has planted a lot of trees that would eventually will block my view. He talked about being a great neighbor but there was never any discussion about that prior. That will deplete my value in the future because that is my only view that I really have is that way. The parking is definitely an issue with me and Len Rice, the east neighbor. Currently the existing driveway does not disrupt any of the neighbors and holds more parking than the proposed driveway is only a one-lane driveway where you cannot park. They do have a lot in their family and do have many guests. Mr. Congel does not want to look at his driveway, but the neighbors do not want to look at a driveway either. It is very, very close with it only being 12

feet to my property line and very little from the Rice's. There will be a lot more noise, pollution and headlights. My property is very private and I want to keep it that way that is why I bought my home. The new driveway will only be 40-50 feet away from my deck with it right now being green grass that I would like to keep that way. There are opposing letters so I hope you take those into consideration, not everything has been all positive. I wish you would keep the driveway where it is and have the garage on that side of the house, as it would make everyone in the neighborhood happier. There was a garage there from the current driveway, but it was turned into something else. Mr. Rice wanted me to mention that he owns the north part of the lane from the East Lake Road to the lake and does not want anyone parking on the lane at all.

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

Chairman Tucker: We have listened listened to the comments that the neighbors have given, have done site visits and looked at what you are going to see and not going to see. The proposed driveway is conforming at 20 feet to the east property line, and the ZBA has granted variance for the garage to be 12'9" from the north property line, which our board has no control on since it was granted by the zoning board. I know that there has been some concern that the driveway was moved and we also need to reduce the impermeable surface, that is what the goal of the town is, and that is why the lower driveway had that loop. That would be something that would be removed and would be a straight driveway going in there if you wanted that side of the house.

Member Winkelman: I think we can still remove some parking spaces up near the garage and lower the impact of the new driveway east of the house and also decrease the impermeable surface. There is some extra space next to the garage. Without those parking spots there are less vehicles coming in and out disrupting the neighborhood.

Mr. Congel: The intent is not to park in the back, the area is a turn around to back in and out of the garage. We did try to have two spots in the back corner and Len asked us to remove it to keep the parking to the other side of the house. The driveway is only twelve feet wide.

Member Winkelman: So this area is for turning around. Originally, you had a turnaround in the northeast corner.

Mr. Congel: We have to back out towards our garage and then onto the driveway.

Mr. Langey: That was eliminated at the request of the zoning board.

Chairman Tucker: That area is not needed because you cannot get into the area, unless you are pulling in parking.

Mr. Camp: That area is enough parking for about two vehicles to park there, nose in.

Mr. Langey: I guess I would simply ask what we are trying to achieve by eliminating that since there are no code provisions that need to have that eliminated. We are in all of the appropriate numbers as a pre-existing legal nonconforming situation in that area and the rest of the property. I do not know what benefit –

Member Winkelman: Impermeable surface

Counsel Molnar: The code section is 148-12G(6) Nonconforming lots. Allows redevelopment of a nonconforming lot as long as the impermeable surface coverage is reduced to the maximum extent feasible.

Mr. Langey: That is the language, maximum extent feasible. We have made that attempt a number of times. All of the comments from the public, which we respect, Mark has tried to please as many people as he can, but we recognize that you cannot make people 100% happy. We have tried to do the best we could and still keep the integrity of the project. As a lawyer on the case, I am having issues as to what is that right number. We know that the board would like to get to 10%, but we cannot get there and the proposal has been reduced to 12.9%. What is that exact right number. There is no guidance in the code so we default to what is the harm. Some of the comments have really nothing to do with any real harm. Properties are going to have parking spots. Every property is going to have parking spots and people are going to see cars every once and awhile. To me that is not enough to move the needle to force him down to 10% or whatever that number would be. He is asking that you recognize that he is not causing any injury to any neighbors, he is not harming the environment, so we ask you to consider 12.9% that was not there before and the applicant is providing that now. I am not trying to be argumentative, I appreciate what you are trying to do here.

Mr. Camp: The block of asphalt that we just focused on a few minutes ago, does not seem to me to serve any turning function in that location.

Mr. Congel: When you back out of the garage, you will turn left towards my house.

Mr. Camp: So you would be doing a multi-point turn to back out then swing around.

Mr. Congel: We had a tail in the northeast corner to back out the car. So the intent is to pull out and shield the houses. Now Len's driveway is right here. So you pull out and come this way. The intent with Len, he sent a letter supporting the plan we have here because he does not want us to park cars behind the house. That is the worse spot for him as his deck sits right here. The property owners on fire lane I are Len Rice, who owns all the way up to the road, then as you go up to the house Mr. Lynn, Mr. Way, and the Belinskis. We are off of the right-of-way. It is about functionality. We have done a lot to maintain the property. We have pulled out the old ramp that was in the water, pulled out the old wells that were there, we have agreed to eliminate any sidewalks, and we have no hardscaping in the house. Our intent is to have this become our year-round house. The intent is not to maximize the height as you saw on the plan. It is really about functionality. I think that fact that Mr. Lynn and Mr. Way who have collectively been there for about ninety years, and then Len Rice and the Belinskis would prefer that we have this parking. We are a large family.

Member Kasper: We made a couple of suggestions at the last meeting about cutting back. It was not a lot but what it was in front of the front door cutting some of that back. You have already cut but I think you need all that.

Mr. Congel: We have already cut that back.

Chairman Tucker: I could park two cars there, with one behind the existing one.

Mr. Congel: I guess, this is for safety as these are tight turns. There are a lot of kids and it is not the best movement to back out onto a fire lane. You would not make that turn as we drive large Suburbans, no sports cars. It is just more about safety to get the cars to turn in. It is here otherwise you would be turning on Mr. Way's lawn.

Chairman Tucker: The other option is that you could park along the driveway and remove some of the other parking areas. Then someone will have to move them.

Mr. Congel: The whole intent with Len Rice is to not to have the cars lined up in front.

Member Kasper: He does not want to look at cars.

Mr. Congel: Len Rice's deck is about twenty feet. I see his driveway and I see his headlights, I see his cars. It is really about functionality. It would probably be better for me if this was two way and they could all park here, but I know he does not want that. It could be landscaped, it could be shielded, it has the support of the landowners, and we do not want to be parking on the fire lane. The Heubers have a situation they cannot remedy. They are very polite about parking there, and it does eat the grass up a little bit. Regardless of that, there is never any problem of getting past the Heubers, and they do not have any solution. It is not like we tore the house down and they are going to build an 8,000 square foot house; we are trying to maintain the integrity. You have seen what we have done on the lakefront and the cottage, and that comes at great square foot expense.

Member Kasper: I like to see the old house there. I hate to see the old houses torn down.

Mr. Congel: I appreciate the history of the house. I appreciate that it was a resident family that built the house. I appreciate the Beviers and Jackie Onassis had visited the house as well. The list goes on and on.

Mr. Brodsky: The Board originally liked the idea of the driveway where it is now proposed, as it would be perceived to be beneficial to the lake in terms of buffering by the house. In light of some of the other issues that have come up, I am wondering if the board would find it helpful to have an alternative site plan drawn retaining the approximate location of the existing driveway. Showing the driveway on the west side of the house and seeing if we could get a more substantial reduction in impermeable surface coverage on that hopes that it would not have any substantial change to the lake and run off which was the original motivating appeal to why the driveway was on the east side of the house, If we keep it on the west side of the house, you will have to do some drainage or landscaping features to ensure no adverse run off from the driveway.

Mr. Camp: The reason the driveway has a lot of pavement is the far side of the lot from the fire lane. Moving it to the backside of the house will not change the length of the driveway.

Mr. Congel: There was a reduction in pavement moving it and based on this plan than what is there today.

Mr. Camp: With the removal of the loop, certainly. Even if you reconfigure it, the lineal footage is still the same.

Mr. Brodsky: The square footage of the driveway going to the location is basically the same although some of the parking could be accommodated more pleasantly on the west side of house and you would be able to eliminate the hook section in front and make a single lane of that double section right by the fire lane. We would not be able to know that until we see a sketch of the plan.

Mr. Congel: This is single lane now and gets wider.

Mr. Brodsky: It is showing double now, and if that is retained as the driveway, then you can play musical cars when you have multiple guests coming over, but that could be a manageable situation. You might achieve less impermeable surface, less impact on the neighbors, by retaining the driveway in the same location. The only way the board can access the feasibility of that is to see a site plan. The issue is feasibility and not a magic number. The goal is 10% and the board will never say 11.67% is appropriate without a site plan to judge if that is reasonable and feasible.

Mr. Langey: I would respectfully disagree with that because there has to be some objective evidence that 12.9% is going to harm things.

Mr. Brodsky: No, that is not the criteria.

Mr. Langey: The criterion is vague.

Mr. Brodsky: The criteria is 10% or to the maximum extent feasible.

Mr. Congel: I think we have done that. I think we have been very practical up to this point.

Mr. Brodsky: I am suggesting maybe an alternative site plan might show an equally feasible or practical solution that might yield a better impermeable surface.

Mr. Langey The term better is –

Member Southern: If we took parking area by the garage and cut, how much were removed, how much impermeable surface are we talking about right there.

Mr. Camp: It would be less than one point in reduction.

Counsel Molnar: 12.8% instead of 12.9%.

Member Kasper: You will not reduce it much.

Mr. Congel: With all due respect, part of the main goal in putting the driveway there is out of respect for the lake. I cannot imagine under any circumstances is it better to have that entire black top on that side of the lake.

Mr. Langey: I am the Cazenovia Planning Board attorney. It is not exactly the same but we have lake front regulations. My planning board never wants to see the parking on the lakeside. The goal to achieve is the best aesthetics for the folks on the lake, folks that are joined on the downward portion of the property and by the shoreline looking back up. I think we are throwing

the baby out with the bath water by trying to pack more cars out in front of the lake. I do not follow that.

Member Kasper: I agree: I do not want the driveway in the lakefront.

Chairman Tucker: Is there any way that we can reduce it more. I think at the front door it could be reduced. I know it will not add up to much, but why do you need it for two cars there. Or you could take two cars out of the four parking space area.

Mr. Congel: It is about safety and security of getting in and out of the driveway. If you park a car here, it will be a problem. The intent is not to park a car there, would one be there at night. Yeah. It is about safety and security as is very tight and right now it is the worst scenario.

Chairman Tucker: How wide is this on the lower side.

The existing access is 14 feet wide.

Mr. Camp: If you could lose 1000SF of impervious area, you would reduce the coverage by something like 1.5%.

Member Southern: Where are we going to get 1000SF.

Mr. Congel: We understand the numbers that is why it is a difficult situation.

Member Winkelman: The other thing that is adding to your impermeable surface is your addition.

Member Kasper: He took down a garage too.

Mr. Brodsky: Is there an existing storage shed.

Mr. Congel: There is a cottage on the water and there is what is called a dollhouse.

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

1. That 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. That the Site Plan A002, floorplans A004, elevations A200 and A201, last dated June 21, 2016 prepared by Wayne LaFrance, Licensed Architect, be followed in all respects; and
3. That the Applicant preserve the low profile of the existing house in the future; and

4. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance, be fulfilled; and
5. That \$5,614.30 be submitted to the Town of Skaneateles Land and Development Rights Acquisition Fund; and
6. 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	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]

Decision-Special Permit/Site Plan Review

Applicant	Pat Carberry Kelly Engle 112 Tyler Dir. Auburn, NY 13021	Property: 4357 Jordan Road Skaneateles, NY 13152 Tax Map #023.-01-13.1
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Present: Pat Carberry & Kelly Engle, Applicants; Robert Eggleston, Architect

The public hearing was closed at the June 21, 2016 meeting. The Onondaga County Planning Board disapproved the proposal based on the site plan dated June 15, 2016 and the proposed location of the septic system in their resolution dated June 29, 2016.

A revised site plan dated June 27, 2016 was submitted with the parking re-designed and the different configuration for the septic system location. The proposed septic location puts it as far away from the stream and flood plain as possible. The parking will now line the existing paved driveway with grass parking that will be defined by a split rail fence. Most of the larger events would occur spring through fall. Parking on site will be less of a concern during the winter as there will less demand. Mr. Dudden, neighbor across the street, has a construction business and has agreed to allow use of his parking lot for supplemental parking.

Jeff Till, OCDOH, stated that the Department of Health has approved the sewage disposal plan for the property in an email dated July 19, 2016. Updated floor plans were submitted to the Board dated June 16, 2016. The construction sequence is also included on the site plan, including restoration of a small portion of an eroded bank.

Member Winkelman commented that the grass parking will look like lawn when there are no vehicles. Chairman Tucker commented that the parking area does slope towards the creek and could be problematic for some vehicles. Mr. Eggleston stated that the area is not that steep.

Chairman Tucker stated that the narrative did not reflect the ability for the applicant to utilize parking across the street on the Dudden property. Mr. Eggleston stated that the primary focus for the parking would be for the caterers and staff, with use by people who planned the event, or

only when there was inclement weather. Kelly Engles, applicant, commented that they had agreed to only park in the gravel areas of the Dudden lot and that it would probably be used by the people driving to an event after they have dropped off their occupants of the car so that there would be less people crossing Jordan Road.

Mr. Brodsky commented that on the site plan, the maximum seating for events is 155 however, the floor plan shows seating for 196 people. Mr. Eggleston stated that they are getting approval based on 155 people limit based on the parking. The floor plans indicated how the maximum potential based on building code. The occupancy will be self-limiting based on the parking calculations.

Member Kasper inquired on the fire department comments. Mr. Eggleston stated that Geoff had no problems and had verified bands so there were no obstructions. Member Kasper inquired if one way signed will be installed. Mr. Eggleston stated that one way signed could be added. Member Winkelman commented that some of the parking spots, especially 42,43, and 44, are not very big. Mr. Eggleston stated that there is 14 feet between the edges of the cars, which is considered adequate for a one-way drive.

Chairman Tucker commented that the narrative needs to be updated to reflect the proposed parking and maximum occupancy for the buildings.

Mr. Eggleston stated that the Onondaga County Planning Board had reviewed the project with the prior site plan that had the large gravel parking lot and did not see the plan that Jeff Till had seen. The OCPB did have a recommendation to deny it although they did comment that if there were substantial changes to the plan that they would reconsider. Their resolution can be over ruled with a super majority vote of the Board, or conversely, the plan could be referred back to them.

Counsel Molnar commented that the Onondaga County Planning Board denied the application based on the wastewater proposal, and now that a new septic system design has been approved by the OCDOH, the assumption that the OCPB would not approve it may not be accurate. Chairman Tucker commented that the occupancy for the proposal has been reduced to 155 from 175.

Member Winkelman commented that the parking is too much for this beautiful piece of property. He liked the fact that the parking is temporary and it is grass, and maybe it can be accommodated somewhere else in the future. Member Kasper commented that the old building is being reused. Chairman Tucker commented that there is a letter from Mr. Dudden that the applicant can use the parking across the street.

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

1. That the Planning Board approval set forth herein is pursuant to an extraordinary vote, as permitted by General Municipal Law section 239-m (5), whereby the Planning Board is permitted to approve the Application over the objection of the Onondaga County Planning Board, because the denial of the application was based on an assumption that wastewater management

could not be achieved, and the Applicant has demonstrated that the OCDOH has reviewed and approved the OWTS plan acceptable for the Application; and

2. That the Special Permit Approval stated herein shall expire if the Applicant fails to comply with the conditions stated herein within 18 months of its issuance or if its time limit expires without renewal; and
3. That a site plan dated June 27, 2016, floorplans 1 through 2 of 2 dated June 15, 2016, prepared by Robert O. Eggleston, Licensed Architect be followed in all respects; and
4. That the narrative be updated to reflect the final parking and maximum occupancy of the buildings, and said narrative be submitted to the Planning Board Chairman, and subsequently followed in all respects; and
5. That any proposed signage for the event center complies with Town zoning codes.

RECORD OF VOTE

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

Public Hearing-Major Special Permit Site Plan Review

Applicant	Jonathan Cohan	
	Louisa Cohan	Property:
	241 Kenlyn Rd	3007 East Lake Rd
	Palm Beach, FL 33480	Skaneateles, NY 13152
		Tax Map #039.-01-15.0

Present: Robert Eggleston, Design Professional; Rudy Zona, RZ Engineering

No one wished to have the public notice read. The Onondaga County Planning Board commented that any approvals should be obtained from NYSDOT, City of Syracuse Department of Water, NYSDEC and the ACOE in their resolution dated June 29, 2016. The City of Syracuse Department of Water had deferred comment pending evaluation of the existing engineered septic system in their correspondence dated June 8, 2016. The Zoning Board of Appeals approved the variance for shoreline structures on July 5, 2016. A site visit was conducted on June 11, 2016.

The guest house located next to the tennis court has been reduce to a 918SF single story dwelling. There were minor modifications to the port cochere, however, keeping the proposed impermeable surface coverage to 10%. A construction sequence dated June 21, 2016 was submitted using the demarcation of the 877' contour, working above it or below it. The first phase will include the work below the 877' elevation, stabilizing the shoreline. The blacktop parking area will be retained for staging and access during the project.

Mr. Zona stated that the tennis court area will be graded, and compacted so that it will be used as a staging area for construction of the main dwelling. The tennis court would then be finished off as permeable clay after the construction of the main dwelling and accessory apartment is complete.

Mr. Eggleston commented that there will be about 1,800CF of fill that will be cut out of the site, and about 6,000CY of fill that will be brought in to the site. Mr. Zona stated that there is some small areas of 6 inches or cut and fill and then by the wall there would be 12 feet. Mr. Camp inquired if input was obtained from a contractor. Mr. Zona commented that that has not happened yet. Mr. Camp stated that there is a lot of site work being done on this site that would be well in excess of 100 trucks of fill being brought onsite. He continued stating his understanding is that the existing septic system would be used for the new dwellings; however, the grading plan is showing fill over the existing septic system.

Mr. Eggleston stated that the primary septic system location is the same and that there will be no fill over it. Mr. Camp stated that the grading plan reflects that there will be fill in a corner of it. He continued stating that the eastern side of the tennis court is 8 or 9 feet above grade. The 909' contour wraps around the septic system is further to the right and he recommended that the grading plan be re-evaluated. Mr. Zona stated that Mr. Buck had indicated in an email that there would be some fill or cut to it, but that it would not be more than 6 inches. He continued stating that it has to go through the channels of the project team, however, he had read that it will be minimal impact and that was going to his response to Mr. Camp's comment. Mr. Camp shared his copy of the plan and indicated the location of the proposed fill to the existing septic location. Mr. Camp requested a more detailed sequence if they are going to change the grade and haul in this much fill. He continued stating that the idea of doing the work in relationship to the 877' contour is good, however, there is hundreds of feet uphill of that contour line that will be disturbed. The disturbance should be broken into smaller chunks.

Mr. Camp stated that the topography of the lot is dynamic and the existing house fits into the various levels of the topography. The new main dwelling is proposed at one level, and that is the biggest reason why it is going to require so much fill. Mr. Zona read Mr. Buck's response that the grading system is limited to one foot at the west end of the percolation basin as long as the elevation remains at 909', it will not affect the existing septic system. Mr. Camp commented that the OCDOH will not allow that to happen. Mr. Zona continued reading that the existing septic system has three dispersal components shown on the plan as a sand filter percolation basin and four dry wells. The County has back tracked on their approval and is requiring that the final stage of treatment, the wells, are placed with shallow dispersion are that is shown in the northeast quadrant. The only portion of the septic system west of contour 908' is a drain collector pipe as long as fill is carefully placed and grade is not raise above 909', this system will not be compromised. Mr. Camp queried that Mr. Buck feels that the County will allow a piece of equipment on the existing septic system. Mr. Zona stated the Mr. Buck had already discussed it with Mr. Till, OCDOH. Mr. Camp stated that anytime you get feedback from the county it is usually to fence the area to keep vehicles off of it. Mr. Zona stated that it you could sling it in from the side and not put vehicles on it, working with a small bobcat. Chairman Tucker suggested that the engineers resolve the issue.

Chairman Tucker inquired about the accessory apartment. Mr. Eggleston stated that the existing nonconforming accessory apartment is being removed and the proposed accessory apartment will be in a conforming location.

Counsel Molnar stated that before the Board moves forward and considers a motion to approve this major special permit, the Board is bound by the requirements of the code under 148-16, that the review Board shall make specific findings for the major project following the criteria set forth in the code. In the July 7, 2016 narrative from Mr. Eggleston, he has provided answers to the special permit findings. Counsel Molnar suggested that the Board review the responses to consider adopting the findings of fact verbatim from the narrative as they relate to and specifically reference aspects of the project. Item 11 of the special permit criteria for the project to comply with section 148-25 rural siting principals if applicable and with site plan standards of 148-18D. Similarly, in the narrative is a review of the criteria and provided responses relative to the specific statutory points applied to aspect of the project that has been designed and presented to the Planning Board. He would also recommend that the Board adopt the site plan review as set for in the narrative as well.

Chairman Tucker stated that there is more engineering review that needs to occur and that the Board needs to review the narrative, recommending that the Board may want to delay their decision.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Kasper to consider the proposed action as a Type II SEQR action and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. No one spoke in opposition or had any other comments.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Kasper to keep open the public hearing due to the additional engineering information forthcoming. The Board having been polled resulted in the unanimous affirmance of said motion.

WHEREFORE, a motion was made by Chairman Tucker and seconded by Member Southern to continue the Public Hearing on *Tuesday, August 16, 2016 at 7:45 p.m.* 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	[Recused]

Member Winkelman returned to the Board.

Amendment Request –Site Plan Review

Applicant

Lakelawn Properties LLC
1 Winthrop Square
Boston, MA 02110

Property:
3384 West Lake Road
Skaneateles, NY 13152
Tax Map #049.-02-03.0

Present: JoAnne Gagliano, EDR; Joe Felco, EDR; Robert Eggleston, Architect

The applicant is proposing an amendment to the approved site plan of November 15, 2015. The modifications include a reduction in the footprint of the main house and the relocation of the detached garaged and entry court. The driveway to the south will be re-aligned to the new motor court and garage. Impermeable surface coverage will be reduced from 8.82% to 8.17%. Some of the trees will be saved based on the new location of the garage and the re-alignment of the driveway. There is no change to the accessory buildings on the property.

Chairman Tucker commented that the applicant had to come back before the Board. Mr. Eggleston stated that the resolution had a requirement that the applicant come back after the stormwater installation was completed. Ms. Gagliano stated that the stormwater aspect of the project has been completed. Mr. Eggleston stated that they would like to have the foundation installed in August so that the work could be done before winter.

Counsel Molnar stated that the condition of the original resolution reads as follows: After the issuance of a full building permit for the stable barns, the stormwater management facilities must be fully installed and said facilities inspected and verified compliant by the Town Engineer with a report back to the Planning Board for approval, prior to issuance of a foundation only permit for the main dwelling. The next condition is that prior to application to the Codes Enforcement Office for issuance of a full building permit for the main dwelling and other appurtenant structures, verification of location of main dwelling foundation is to be delivered to the Codes Enforcement Office to confirm compliance.

Chairman Tucker inquired on the office wing proposed for the dwelling. Ms. Gagliano stated that the office will be used as a private office. She continued stating that the elevation of the dwelling have been modified to reflect the modifications to the dwelling with the same manor house design.

Member Winkelman inquired on the ability of the property to be connected to the sewer line that runs across the property. Ms. Gagliano stated that the sewer has been signed off by the neighbors and formal approval will be obtained by the Town and Village of Skaneateles. The sewer district has been formed. Mr. Camp inquired if the sewer line will be pipe burst around the existing trees. Ms. Gagliano stated that it may not happen. They are going to look into it as it could potentially save some older trees, although the owners have accepted that they may lose some of the trees.

WHEREAS, a motion was made by Chairman Tucker and seconded by Member Southern, the Planning Board adopted and ratified the prior SEQRA determination of November 15, 2015, which was a determination that the Application constituted a Type II Action not subject to site plan review. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Chairman Mark Tucker, seconded by Member Scott Winkelman, and upon a vote thereon as recorded below, the Town of Skaneateles Planning Board **APPROVES** amendment of the Approving Resolutions, with the following conditions:

1. That the Site Plan C1 – C3 and A1-A2, Narrative, and impermeable surfaces calculation worksheet prepared by EDR and RZ Engineering dated July 8, 2016 be followed in all respects; and
2. That all future modifications to the approved Site Plan be submitted to the Planning Board for approval prior to commencement of construction; and
3. Except as modified hereby, the conditions set forth in the Approving Resolutions remain in full force and effect.

RECORD OF VOTE

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

Sketch Plan-Major Special Permit/Site Plan Review/Lot Line Adjustment

Applicant	Finger Lakes Luxury Homes, Inc.
	Rick & Debbie Moscarito Property:
	120 Madison St 1601 East Genesee St
	Chittenango, NY 13037 Skaneateles, NY 13152
	Tax Map #032.-03-17.1 & 032.-03-17.2

Present: Robert Eggleston, Architect

A revised site plan dated June 6, 2016 represents modifications to the prior site plan that was discussed at the last Planning Board meeting. The applicant is continuing to work on the engineering aspects of the project and have made progress on the septic plan providing 100% of the expansion area that is not yet reflected on the plan. They are still working on the water flows off the hydrant, and a test will be occurring tomorrow to determine the amount of pressure and volume for the fire protection system. This will be a sprinklered complex including the cottages and main building. We have taken into account the Boards comments and are treating it as a little hamlet are. Walkways will be installed to connect Skan-Ellus to the Loftus building and the sidewalk will meander for an informal feel. There will be trees closer to the building and parking lot areas. The stormwater plan has not been fully developed depending on the outcome of the septic and the fire flow.

Mr. Camp inquired on the materials that will be used for the sidewalk and who would be responsible for the maintenance of the walks. Mr. Eggleston stated that the materials have not been determined, although country sidewalks are not usually plowed in the winter. As the comprehensive plan comes into fruition, we will know more if the material would be concrete, gravel or another option. All the sidewalks around the immediate buildings will be concrete, and the walking trails will be a soft material such as gravel that is more appropriate for a path. Chairman Tucker commented that sidewalks are usually a standard of 5 feet in width. Member Winkelman commented that where the sidewalk is proposed there are poles above and trees would not be allowed. Chairman Tucker suggested that shrubs could be placed in front of the

parking and out of the septic fields. Mr. Eggleston stated that they are looking for the larger trees to be behind the septic areas so they are out of harm's way.

Mr. Eggleston continued stating that the next step is the water and getting the tests done on that tomorrow. There are options like storage tanks that could be placed into the basement if we are short on volume, pressure or flow, and the use of dry hydrants in conjunction with the pond, and they can work with a 35 foot height difference. They would be able to get pipes into the pond that feed hydrants on the property . The 35 foot height difference was stated by Dan Evans. Member Winkelman commented that the stormwater areas could be used as a possible pond for the dry hydrants. Mr. Eggleston stated that it would be possible. Mr. Camp commented that there may not be any water in the stormwater pond during dry seasons.

Chairman Tucker commented that consideration be given on the location of the dumpster as it would not be very pleasant to walk by when going to Skan-Ellus.

Discussion

The Planning Board discussed Local Law C- Amendment to the Abandonment Law, and suggested what would be a recordable action in determining whether an applicant was abandoned.

The Board had concluded that each section should include an additional sentence, that would read something like, "For purposes of this section, an application that remains inactive is one which there has been no communication, either electronic or by mail, or appearance before the Board for the period of time hereto aforementioned above." The Planning Board requested that Board Counsel prepare a letter to the Town Board with the suggested modifications.

WHEREFORE a motion was made by Chairman Tucker and seconded by Member Kasper to charge board counsel to prepare the document for submission to the Town Board. The Board having been polled resulted in unanimous affirmation of said motion.

Discussion

Mark Congel / 5 Fires LLC
3395 East Lake Road
Skaneateles, NY 13152
Tax Map #041.-01-21.0

At the last Planning Board, site visit it was noted that a new fence had been installed at the north end of the property. Variance approval had expired in June of 2015 and no new variance approval or building permit was obtained.

Discussion

It was noted that Rosalie's Cucina is operating a food truck at the Anyela's Vineyard. Research will be done to determine if this is allowed at the Vineyard.

Attorney Advice Session

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

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

The Board returned at 10:25 pm.

Site Plan Review

Applicant	Theodore & Nancy Norman	Property:
	8665 Duarte Road	1992 West Lake Road
	San Gabriel, CA 91775	Skaneateles, NY 13152
		Tax Map #058.-01-17.2

Present: Robert Eggleston, Architect; John Langey, Legal Representative

Chairman Tucker called forward the application and commented that the proposed swale to the south of the proposed dwelling may not be needed and will leave it up to the applicant whether the swale should be installed. He continued stating that the pipe on the north side stated that it could be used although John Camp suggested a shallow swale located to the north of the driveway to the rain garden, or not have a rain garden.

Mr. Eggleston stated that he thought the concept was that their intent that the pipe that runs down to the creek be eliminated. We would be collecting the water coming off the drive and collecting it at the end where the rain garden is located. The idea of a swale was nixed and we had proposed rain gardens to the south of the dwelling and in all honesty, the sheet action across the grass is better and we rather keep it like it is.

Member Winkelman commented that the dwelling is also a smaller footprint.

Mr. Eggleston commented that the proposed dwelling significantly reduces the impermeable surface coverage.

Mr. Camp stated that his suggestion of the underdrain to the north and parallel to the driveway be exchanged for an open grass lined swale that would work better and be easier to maintain.

Mr. Eggleston inquired if it should be taken to a rain garden.

Mr. Camp affirmed and commented that the underdrain in front of the garage could outlet to the grass swale and it would provide better water quality treatment.

Chairman Tucker stated that this proposal fits better into the neighborhood and appreciate what has been done.

Counsel Molnar recommended to the Board to review the application as follows. The Norman application is still a pending application. There was a motion and a denial of the prior site plan that was submitted for review and approval. A new site plan has been submitted for review and approval, and the application is still open, and the Board is entitled to act upon it. It is certainly open because the Normans have exercised their rights under article 78 making certain determinations of the application. Furthermore, in discussing the 239 review, this has been reviewed and approved by SOCPA, this is not substantially different than the application that was previously circulated for review and approval by other interested agencies. There was no public hearing on this, rather it was site plan review that was subject of intense scrutiny by the Board and responses by the applicant. Also, there is no need for an amendment application as this is not an amendment of a previously closed case. I would recommend to the Planning Board consider along with the applicant, in the decision that this is a current application which is entitled for review and approval under site plan review criteria.

Mr. Langey stated that the applicant does join in that thought.

Counsel Molnar stated that if acceptable to the Board, he would recommend that they review the site plan review criteria that is applicable to this action, which are set forth in section 148-18D, in section 1. Layout and Design. A) All structures on the plan be integrated with each other and adjacent structures and shall wherever practical be laid out in a pattern of traditional Village or Hamlet. Does the Board find that this revised site plan, last dated July 18, 2016, set forth that all structures be laid out and be integrated with each other and adjacent structures.

Member Winkelman stated yes and that the previous design would have been one of the bigger buildings in the neighborhood, we had discussed ten houses north and south. The current proposal is somewhere in the middle for size of structure and mass of structure for the size of the lot.

Chairman Tucker added, where it is located on the lot.

Member Winkelman commented that it is further away from the watercourse and opens up a little glimpse of the lake like what you see up and down all through the neighborhood.

All members were in agreement.

Counsel Molnar stated 1B) Structures that are visible from public roads or Skaneateles Lake shall be compatible with each other and with traditional structures in the surrounding area in architecture, design, massing, materials and placement. Does the Board conclude that the updated plan dated July 18, 2016 meets with that requirement?

Member Southern stated yes, that the new design is more in style of the existing houses in the area in terms of massing, placement, architectural, and the whole thing.

All members were in agreement.

Counsel Molnar stated 1D) where appropriate, setbacks shall maintain and continue the existing setback pattern of surrounding properties? Does the Board feel that this new plan maintains setback and continues setback pattern of the surrounding properties?

Chairman Tucker stated that yes it does.

All members were in agreement.

Counsel Molnar stated that as a result of the Board's findings, he recommends that the Board entertain a motion and deliberate on the revised application set forth by the plans submitted by Mr. Eggleston dated July 18, 2016. Bob, was there an updated narrative to go with it.

Mr. Eggleston commented no, they could provide that. Any construction sequence that was in the narrative would be still relevant, but the narrative itself has not been updated.

Counsel Molnar stated that the last narrative he had was dated May 5, 2016.

Mr. Eggleston commented that the May 5, 2016 narrative does not have the construction sequence on it, however, the February 4, 2016 narrative does.

Counsel Molnar recommended that the narrative be amended to reflect the layout, design and other characteristics of the July 18, 2016 site plan.

Mr. Camp recommended that the narrative also reflect the changes to the drainage plans as discussed tonight in addition to an updated drainage plan to be submitted.

Member Kasper inquired about page 4 and 5 of 5 that were not part of the submitted plans for tonight's meeting.

Mr. Eggleston stated that 4 of 5 is a grading plan and 5 of 5 is a master plan of the three lots. They were not updated and he will update them to reflect the new site plan and drainage modifications.

Member Southern inquired if there will be a payment into the DRA Fund.

Chair Tucker commented that it is an open space subdivision and this lot is allowed greater impermeable surface coverage as there is a conservation lot connected with it.

Mr. Brodsky inquired if there will be a landscaping plan.

Mr. Eggleston commented that there was not one required; however, the owner owns a landscaping business.

Counsel Brody suggested that the approval be conditioned on the party stipulation on the discontinuance.

Mr. Langey commented that his concern is not with this Board but if there is a third-party, collateral action that he may not know about that would attack this approval. I can execute that upon 30 days expiring from the statute of limitations to try to undo this. How about the stipulation be executed upon the expiration of the statute of limitations because I do not want to say that this is an open ended approval.

Counsel Smith suggested that the stipulation discontinuance be executed no later than 30 days after approval.

Counsel Molnar suggest no less than 30 days.

Mr. Langey recommended that it be 50 days just to be sure.

All were in agreement with 50 days.

WHEREAS, the Planning Board adopted and ratified the prior SEQRA determination, last reviewed March 15, 2016 for the Application, which was a determination that the Application constituted a Type II Action not subject to SEQRA review.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Scott Winkelman 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 site plan approval, with the following conditions:

1. That 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. That the Site Plan 1 of 5 through 3 of 5 dated July 15, 2016, prepared by Robert O. Eggleston, Licensed Architect, be followed in all respects; Narrative with construction sequence and site plan 4 and 5 of 5 be amended to reflect the revised plan and grading plan, submitted to the Board and be followed in all respects; and
3. That the Applicant shall obtain all necessary permits and approvals from the NYSDOT, OCDOH, and any other approval needed for the Application; and
4. 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; and
5. That the stipulation discontinuance be executed no less than fifty days after this approval.

RECORD OF VOTE

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

WHEREFORE a motion was made by Chairman Tucker and seconded by Member Winkelman to adjourn the Planning Board Meeting at 11 p.m. as there being no further business. The Board having been polled resulted in favor of said motion.

Respectfully Submitted,

Karen Barkdull, Secretary/Clerk