

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
August 17, 2021**

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

Chair Kasper opened the meeting at 6:30 p.m. The meeting minutes of July 20, 2021 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 Member Winkelman to approve the minutes as corrected. The Board having been polled resulted in the affirmance of said motion.

RECORD OF VOTE

Chair	Donald Kasper	Present	[Yes]
Vice Chair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jon Holbein	Present	[Yes]

Continued Review-Site Plan Review

Applicant:	Eric Brillo 1780 Coon Hill Rd Skaneateles, NY 13152	Property: 1760 Coon Hill Rd Skaneateles, NY 13152 Tax Map #035.-04-20.0
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Present: Tim Johnson, Anchor QEA

A revised site plan was submitted to reflect the requests from the site visit, and it also includes an erosion control plan that had been requested by the City of Syracuse Department of Water. The staging area for the excavated material is listed on the site plan and a construction sequence has been provided. The Onondaga County Planning Board's comments have also been addressed. Member Winkelman commented that the location for the improvement is higher in the watershed to address the stormwater before it is near the lake. Mr. Camp said that higher up in the watershed and the lower area of the watershed are both areas where improvements can improve conditions as a stream can pick up debris as it meanders toward the lake. Mr. Johnson commented that the ACOE has all the information they require and should be completing their 30-day review in coordination with the EPA. They are anticipating completion with 7-10 days. Once they have the letter they will be able to start the project which they anticipate would be mid-September with the work completed in a week.

WHEREAS, a motion was made by Chair Kasper and seconded by Member Hamlin, the Planning Board classified this application a Type II action pursuant to 6 NYCRR617.5(c)(8) and not subject

to further review under SEQ. The Board having been polled resulted in the unanimous affirmance of said motion.

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

1. That the 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 6 through 6 of 6 dated August 6, 2021 prepared by Anchor QEA, Engineering PLLC, be followed in all respects; and
3. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$250 for engineering review; and
4. That a contact number of the responsible individual available 24-hours, 7 days a week, be supplied to the Codes Enforcement Officer; and
5. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application.

RECORD OF VOTE

Chair	Donald Kasper	Present	[Yes]
Vice Chair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]

Public Hearing-Special Permit/Site Plan Review

Applicant:	WS Acquisitions	Property:	
	Peter White & Mary Socci		1737 Russell’s Landing
	26 Doubloon Drive		Skaneateles, NY 13152
	Hilton Head, SC 29928		Tax Map #063.-03-02.1

Present: Robert Eggleston, Eggleston & Krenzer Architects

The Zoning Board of Appeals approved the variance for the application, and they have received OCDOH approval for the proposed septic system. National Grid is in process of moving the power line away from the dwelling. The stormwater for the redevelopment of the lot will be managed by two bioswales that meet the guidelines and will have two underdrains in each to ensure the ground absorbs the stormwater. Chair Kasper inquired on the location of the proposed well and whether it has been approved by OCDOH to meet the correct setbacks from agricultural fields. Mr. Eggleston explained that they need to be above the septic system and have at least a 100-foot setback from the septic system on this lot and the neighbor’s lot. Regarding agricultural setbacks, farmers cannot do certain activities within 200 feet of a well but a well can be located closer than 200 feet from an agricultural field. The county health department is encouraging people to have wells rather than draw water from the lake. The farmer up the hill is Mr. Lockwood who has a lavender farm in proximity.

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

At this time, Chairman Kasper opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Kasper 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 Member Winkelman and seconded by Chair Kasper 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 Scott Winkelman and duly seconded by Member Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board **APPROVES** the Application and minor special permit/site plan, with standard conditions and the following additional conditions:

1. That the Special Permit and Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan 1 and 1a of 6 dated July 14, 2021, elevations, and floorplan plan 2 of 6 through 4 of 6 dated July 7, 2021, guest house elevations and floorplan 5 of 6 through 6 of 6 dated June 22, 2021 and Revised Narrative with Construction Sequence dated July 14, 2021, prepared by Robert O. Eggleston, Licensed Architect, be strictly followed; and
3. That all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance, be fulfilled; and
4. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
5. 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	Donald Kasper	Present	[Yes]
Vice Chair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]

Public Hearing-2 lot Subdivision

Applicant: Marian Wirsig Trust
Martin & Marian Wirsig
29 Abdallah Ave
Cortland, NY 13045

Property:
1665 Pork Street
Skaneateles, NY 13152
Tax Map #034.-04-15.0 & 034.-04-16.0

Present: Robert Eggleston, Eggleston & Krenzer Architects

A plat plan has been submitted for the Wirsig Conservation Subdivision with each lot slightly over 1 acre in size. Lot A will be 44, 000 square feet, with a building envelope defined with the septic location pending approval from the OCDOH. Lot B will include the conservation land of 3.2 acres. The easement language has been drafted to align with the narrative with any improvement in the conservation area subject to site plan review. There are two existing structures in the conservation area, the old barn that will be used for storage and the pumphouse. There may be a chicken coop in the future The septic system is required to be located from a watercourse and will probably be located to the easement. Member Winkelman recommended that there should be delineation where the conservation area is located and that no lawn chemicals should be used. Mr. Eggleston said that it could be added that no lawn chemicals should be used in the conservation area. Counsel Molnar stated that it could be added to the language. Mr. Brodsky inquired if there will be a schedule of lot requirements and Mr. Eggleston stated that they are noted on the plat plan.

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

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

WHEREFORE, a motion was made by Member Winkelman and seconded by Member Hamlin, the Board declared this application to be an Unlisted Action, and after review of the SEQR short

environmental assessment form and determined that the proposed action will not result in any significant adverse environmental impacts. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Chairman Kasper opened the Public Hearing and asked if there was anyone in favor of the project. Mr. Kunz , 1667 Pork Street, said that they are in support of the proposal and that it has no impact to their property. Chairman Kasper asked if there was anyone wishing to speak in opposition or had any other comments.

Mr. Richman, 1687 Pork Street, inquired how there can only be one acre instead of the required two-acre zoning. Chair Kasper commented that the applicant is proposing a conservation subdivision where they will be setting aside land that cannot be used for anything else and they are using that land to make up the difference everywhere else. Member Winkelman explained that they are putting two houses on 5.2 acres, which is a little more than two acres each. Mr. Richman inquired how one lot could be one acre, and Chair Kasper said that both proposed lots get credit for the conservation area. Mr. Camp commented that there is a provision in the code, and that this is creating less density. Member Winkelman said that it complies with the comprehensive plan as it will keep more of the natural landscape around the tributary instead of lawn.

Mrs. Richman, 1687 Pork Street, said that she has a concern with the impermeable surface coverage. In a heavy rain with the very significant watercourse, several the yards are flooded now, including the proposed one acre building lot. How does that impact our watercourse and our water system. Mr. Camp said that anywhere in the lake watershed, you are only allowed to develop up to 10% impermeable surface coverage, and this proposal meets that. In addition, this proposal has two separate stormwater management facilities that are designed to catch the first flush of runoff, detain it, and drive it under the ground. This project size does not rise to the level of state regulations for stormwater quantity management; however, the town has adopted something further beyond that with these small-scale stormwater management facilities. Mrs. Richman inquired on the expectation of the septic system on a small lot that gets flooded. Mr. Camp responded that OCDOH is the entity that regulates, manages, and approves septic systems. Chair Kasper commented that the elevations on the plans indicate that the water would run away from the septic system and would go to the retention pond to percolate through the land. Member Winkelman said that it would then go north to the tributary in the conservation area behind the lot. Mrs. Richman said that she mows a portion of the parcel, and it is not dry after it rains.

Mr. Dillon, 1654 Pork Street, inquired if it would be permissible to build on the lot if a conservation district is not formed. Chair Kasper stated that it would have to have a two-acre lot with more road frontage. Mr. Dillon said that the subdivision is being formed to circumvent the laws that are already into effect. Counsel Molnar commented that it is being developed pursuant to the law. If the owner of this lot of 5.13 acres wanted to develop it they could. Mr. Dillon said that it has been subdivided. Mr. Eggleston said that the Wirsig's did a subdivision in the 1980s without getting Planning Board approval, The proposed subdivision is correcting that situation and making conforming lot sizes that conform to the conservation subdivision standards. A conservation subdivision is an alternative to sprawl two-acre zoning. Mr. Camp commented that this subdivision would not be approvable by the Planning Board if it was not in compliance with the zoning code. Mr. Dillon asked when the area became a conservation district. Mr. Eggleston explained that it is not a conservation district but rather this property will have a conservation easement on a portion of the property. Mr. Dillon said that he has a conservation area on one side and a junkyard on the other.

Mr. Rickman, 1667 Pork Street, inquired if a lawn without chemical is not desirable. Member Winkelman said that it is okay; however, woodlands are preferred as they provide more stormwater filtration than a lawn. Mr. Camp said that hydrologically, a forest or a meadow will absorb more water than a lawn.

WHEREFORE, a motion was made by Chair Kasper 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 Member Scott Winkelman, duly seconded by Member Douglas Hamlin, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the two-lot Subdivision, with the following conditions:

1. The Final Plan subdivision of the Wirsig Trust Conservation Subdivision, dated July 30, 2021 prepared by Paul Olszewski, Land Surveying, PC be submitted for the Planning Board Chairman’s review and signature within 180 days from the signing of this resolution; and
2. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application; and
3. That Planning Board Chair and the Planning Board Attorney shall approve all language set forth in a Conservation Easement (the “Conservation Easement”) to be prepared and submitted by the Applicant, and that one approved, same be recorded by the Applicant in the Onondaga County Clerk’s Office contemporaneously with the filing of the Subdivision Map; and
4. That consistent with the conservation analysis and the Conservation Easement, the Applicant shall preserve open space, and natural resources, as depicted on the Subdivision Map, which shall remain open space as required by Section 148-10-13 of the Skaneateles Town Code, and/or the Town Law of the State of New York, and applicable sections thereof, without adjustment, modification, or change, except upon the express written consent of the Town of Skaneateles Planning Board; and
5. No lawn fertilizers, lawn herbicides, or lawn insecticides shall be applied in the Conservation Easement area; and
6. That fence posts shall be placed to delineate the boundaries bounds of the Conservation Easement areas; and
7. The Subdivision Map and Deed transferring the property(ies) 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	Donald Kasper	Present	[Yes]
Vice Chair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]

Sketch Plan-148-8-9-G

Applicant:

Christopher Nulty
29 Abdallah Ave
Cortland, NY 13045

Property:
2699 East Lake Rd
Skaneateles, NY 13152
Tax Map #037.-01-04.0

Present: Christopher Nulty, Applicant

The applicant had purchased the property recently and soon discovered that there was no adequate area on the property to store gasoline or equipment that requires gasoline such as a lawn mower. The utility room build on the side of the dwelling contains the water filtration and a furnace, a location that would not be suitable for storage of gasoline and oils. On June 17, 2021, he reached out to the codes officer on what was needed to build a shed on the property. A month later the shed had been built the codes officer contacted me to tell me that the shed would bring the lot coverage above what is allowed. Chair Kasper inquired if the applicant had discussed with the prior owner all the conditions for the development of this property. Mr. Nulty said that he had heard rumors, but that he was not familiar with the conditions placed. Chair Kasper said that the lot is very small and that it was challenging to get the lot developed. They had to give up stuff including a shed that was given up to build a utility room. Now you are asking for the shed and it had been given up as part of the redevelopment of the property as part of a special permit approval.

Chair Kasper noted that there is also a discrepancy in the coverage on the lot, as the driveway should have a grass strip in the center, and it was never installed. Mr. Nulty said that he was notified of this and had reached out to the builder on this and would be happy to do this although he has concern about the winter plows ripping the grass out. Member Hamlin commented that he has had a grass strip driveway for eight years and the plow goes right over it with the grass that comes back in the spring. Mr. Brodsky stated that the same section of code is being requested that was address with the Reid and Dwyer applications that requested an increase for safety reasons.

Chair Kasper inquired if the shed is resting on the ground or if it is raised to allow water to flow through. Mr. Nulty said that it is sitting on blocks and could be raised up higher on one side as there is a little bit of a dip. He continued saying that he would be happy to raise it more based on the recent rains. He inquired if there was a recommended material that should be used. Mr. Camp commented that the board could consider a small-scale stormwater management facility. The 2017 special permit approval included a payment into the DRA fund for the impermeable surface coverage overage.

Mr. Brodsky inquired if there was any other area on the site that could be utilized for storage and Mr. Nulty stated that there is no basement for the dwelling. He continued saying that there is no area to store these items and that he felt that the builder did not consider someone living there when they were constructing the dwelling. This property is a year-round dwelling for the applicant. Chair Kasper suggested that the shed be raised to allow air and water underneath. A site visit will be conducted on August 31, 2021.

Sketch Plan-Site Plan Review

Applicant: Thomas & Mellissa Zell
1265 Oak Bluff
Skaneateles, NY 13152
Tax Map #054.-02-04.1

Present: Thomas & Melissa Zell, Applicants

The applicant is proposing an attached one car garage and connecting mud room to the year round dwelling to provide safe access to a vehicle especially during the winter months. Member Winkelman inquired about the impermeable surface coverage of the lot. Mr. Zell stated that they started at 11.7%, and with the proposed attached garage were able to reconfigure some paved areas and attain 10% impermeable surface coverage. Mrs. Zell stated that the existing circular drive will be reduced and with the new garage, you would enter the property quickly. Chair Kasper commented that at the site visit, it was said that there will be steps down from the garage and Mrs. Zell said that there are in the interior from the garage to the mud room.

Mr. Camp said that the site plan is lacking information that you would usually see. He continued saying that it should be on one big plan that shows all the site work that will occur. The flare of the proposed driveway is not a typical design and may be able to be removed so that the driveway on the west parcel would not need to be shaved to be reduced. Mrs. Zell stated that it was designed so that it would be able to back up across the road to the driveway on the west. Mr. Zell said that there is a cost to remove tarvia and they are already ripping up over 900 square feet. Mr. Camp said that it is awkward to remove a foot along the driveway on the western property as the edge can become unstable after cutting. Mrs. Zell said that they can hire a site engineer for a grading plan if that is what the town is looking for. Mr. Camp said not necessarily, it is that the site plan was prepared by someone who is not familiar with preparing site plans. Mrs. Zell stated that the surveyor did the site plan to ensure that the calculations were correct. Member Winkelman said that it is a good plan, but the board needs to see a little more detail. Mr. Camp said that the proposed driveway access could work, but the throat is narrow. Chair Kasper commented that they are coming off a one lane fire lane as they pull into their property.

Chair Kasper inquired if this property needs to have a bio-retention pond and commented that the yard is a steep sloped yard. Mr. Eggleston commented that they are on top of a bluff, and you may not want to saturate the ground. Mr. Camp said there may be an area uphill from the fire lane where a bioswale could be located. He continued saying that a couple of years ago the board adopted the use of a surface water quality feature to be included on properties in the watershed. Mr. Zell said that their surface water quality feature is returning a significant amount of square footage to permeable, and it is improving the area, and there is a lot of investment to make that happen. Mr. Camp said that on top of that the board has been requesting that small scale stormwater management facilities are constructed with projects like this. Mr. Zell stated that the document says that it should be considered if the property becomes worse and they are improving the property. Mr. Camp stated that it would be up to the board to determine whether it is required or not.

Chair Kasper commented that the intent is to capture the runoff from the roof and drainpipes so that the water is filtered before it enters the lake. Member Winkelman said that they are typically rain gardens or grass swales with sand and underdrains, and this is a very tight and steep site. Chair Kasper commented that the stormwater will run faster with the steep conditions. Mrs. Zell inquired if a rain barrel would be considered, and Mr. Camp said that the board usually would want to see something bigger than that. Member Winkelman said that a meadow could be planted instead of a mowed lawn. Mr. Zell said that they are proposing plantings up by the road where the deck was located and wanted to keep a little bit of grass that they have to the east of the dwelling.

Chair Kasper inquired if the stormwater could be directed to a pipe underground and then to the lake. Mr. Camp said that it wouldn't be ideal but understands that it does happen. The impervious surfaces that are more likely to cause an adverse condition affecting the water quality are the stuff that you drive on. Mrs. Zell stated that they do not treat the lawn with any fertilizers or herbicides. Member Winkelman inquired if they could capture the stormwater from the western parcel. Mr. Camp said that it is an option dependent on the topography. Chair Kasper stated that the option is on the south side of the dwelling, but it is quite

steep. Mr. Zell stated that if you keep the current grade of the driveway it does create a swale. Mrs. Zell commented that if there were specific plantings they board would like, they could be placed there. Chair Kasper said that the stormwater from the roof, driveway and hard surfaces still must be captured and treated. Member Winkelman suggested a rain garden could be established in the area where the deck is being removed. Mrs. Zell suggested that the location where the driveway is being removed could be plantings. She continued saying that the rain gutters from the roof could be directed to the rain garden. She inquired what plants would need to be planted in a rain garden and Member Winkelman suggested that the Cornell cooperative extension has a list of plants for rain gardens. He continued saying that the board has shied away from the rain gardens to go towards grassy swales that are allowed to flood. Rain gardens such as the one at the City of Syracuse water building next to the Sherwood require regular maintenance. Mr. Zell said that the removal of the driveway will create a natural swale and Mrs. Zell said that they will show it on the grading plan. The board suggested that they review the small-scale stormwater management guidelines that are on the town's website. Mr. Zell commented that he has read the document and continued saying that if nothing is done the property would be at 11.7% coverage; they have gone through several iterations of the plan to get it into compliance of 10% impervious coverage and are proposing a decrease in coverage by 855 square feet. Member Winkelman said that the site might be too challenging for the bioswale, that the board will need to continue to explore it more. Chair Kasper said that the board will conduct another site visit of the property. Mrs. Zell said that they will create a grading plan and a planting plan for the board.

Sketch Plan-Site Plan Review

Applicant: Bridget Marquardt
 1012 The Lane
 Skaneateles, NY 13152
 Tax Map #050.-01-10.0

Present: Robert Eggleston, Eggleston & Krenzer Architects

There are two parts to the proposal with the first regarding the area to the east of the dwelling that would be level for sports; the second part would be for a garage addition that can accommodate larger vehicles that meets the setback requirements. Impermeable surface coverage will increase from 6.7% to 8.6% including an increase of the driveway by 340 square feet. Two bioswales are proposed, one located to the west of the driveway to capture stormwater from the driveway in a natural swale area that would drain to the road ditch. The second bioswale is located to the east of the driveway and below the septic field that would capture stormwater as it comes down The Lane and from the blacktop driveway. The roof gutters from the dwelling daylight onto the lawn to the south to percolate through. Alternatively, a third bioswale could be developed with an outlet and this will be considered at the site visit. Mr. Eggleston commented that the sheet action across the lawn may be the better option than directing the water down through the lakefront properties.

Mr. Camp inquired if the two bioswales could support the volume need. Mr. Eggleston said that it would be pushing it; sheet action is not bad for controlling stormwater. Mr. Camp inquired if the second bioswale could be enlarged and Mr. Eggleston stated that it is near the septic field. Mr. Camp commented that the two to the north handle the water off the driveway; the two bioswales are just a couple hundred feet shy of the total volume, and if the bioswale B was enlarged it could come close.

Chair Kasper inquired on the elevation of the driveway and the existing garage and Mr. Eggleston stated that it is somewhat flat; but then it goes down towards The Lane. A site visit will be conducted on August 31, 2021.

Sketch Plan -Special Permit/Site Plan Review

Applicant: Patrick Delmonico Property:
2864 Nunnery Road 2556 West Lake Rd
Skaneateles, NY 13152 Skaneateles, NY 13152
Tax Map #054.-01-01.0

Present: Pat Delmonico, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The shoreline to the south on the nonconforming lot has recently experience severe erosion and the applicant is proposing the installation of stacked stone with stabilizing piers to reinforce the end of the lakefront. The existing concrete base will remain with the rock retaining wall constructed on top of it. Above the wall will have shrubs and groundcover planted. The north portion of the retaining wall will be raised to 867 feet in elevation above the 100-year flood level. The grade will be leveled and planted in sod. The existing wood deck will be replaced with a permeable paver patio on the same footprint. There is a significant 18-inch drainpipe that was installed several years ago to take stormwater off Oak Bluff and direct it to the lake to prevent future erosion of the area along the shoreline to the south.

The existing wood dock will be replaced with a steel pile dock which has been added into the calculations for shoreline structures. This is in anticipation of the town regaining jurisdiction of this portion of the lake. This aspect of the project will be completed at a future date. Member Hamlin inquired about the steps to the lake that are shown of the site plan. Mr. Eggleston stated that they will be natural stones used to provide access to the lake.

Mr. Delmonico commented that the lakefront has eroded, and the goal is to reinforce what is existing at the lake. The want to straighten it out as much as possible to protect the property as well as the lake. The wall will run along the edge of the mean high-water mark. A site visit will be conducted on August 31, 2021. Member Winkelman inquired if additional trees will be planted, and Mr. Eggleston responded that they will be planting additional shrubs and can plant trees.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Winkelman to schedule a public hearing on **Tuesday, September 21, 2021 at 6:30 pm**. The Board having been polled resulted in the unanimous affirmation of said motion.

Amendment Request –Site Plan Review

Applicant Lakelawn Properties LLC Property:
1 Winthrop Square 3384 West Lake Road
Boston, MA 02110 Skaneateles, NY 13152
Tax Map #049.-02-03.0

Present: JoAnne Gagliano, Kyle Volz; EDR

The amendment requests is for the replacement of the existing split rail fence with a garden brick wall that would run along most of the western edge of the property. At the site visit, it was determined that the proposed garden wall would be located on private property, and that a portion of the culvert is on private

property as well. When they had completed their research they determined that there is no drainage easement with the village or the town for the pipe. Also, there were no calculations made available from the village regarding the stormwater flows from the pipe extension that was done a few years ago for the stormwater tie-in. Ms. Gagliano stated that it would be better for an easement to be in place with the municipality and the property owner.

At the low points along the wall there will be yard inlets and underdrains; in the north section there would be four yard drains, the south would have two yard drains, the two drive openings, the pedestrian gate opening, and the end of the wall low point to the north. All these openings will allow the flow from the West Lake Street crown into the property at the low points and swale feeding into the creek. In the area of the pipe there will be a step beam detail so that if there was a need for it to be accessed, access could be obtained at the end section and would be able to remove the pipe from underneath it.

Mr. Camp inquired if the yard drains are being proposed as public infrastructure. Ms. Gagliano said that they could be although they are set back from the property line and could be private. The inlets to the north that were added as part of the village project are public without a drainage easement in place, they tie into the road culvert. Mr. Camp said that generally when a cross culvert goes under the road the municipality has access to that pipe whether an easement is in place or not. The town already can go in and modify the pipe without an easement. Chair Kasper commented that if the applicant is offering an easement then the town should take it. Mr. Camp said that there still are some very important issues that should be considered. He continued saying that having yard drains are nice, but the water can flow freely over the road today when the pipe is either overwhelmed or blocked. We would have to take a close look at to see if a yard drain would work as well and that would most certainly be public infrastructure. It would not be wise to let private infrastructure determine how well a road can drain. The applicant is proposing to build a wall over a public pipe that would need to be replaced at some point. They are proposing a beam to support it however it is asking the town to dig underneath a private structure. It would make it much harder for the town to replace the pipe in the future. He continued saying that he is not convinced that there is a way to build a wall over a public pipe.

Ms. Gagliano asked that if that were to happen what language would you need for the owner to take care of that, and could it be installed by the owner. Mr. Camp said that it would be highly unusual for public infrastructure to have work completed by a private individual. Mr. Camp inquired if Mr. Dussing, based on his experience with municipalities, had any suggestions for this. Ms. Gagliano said that because it is on private property, the property owner would have to right to fix it but that the municipality would also have the right. With the easement, it would give the town the access to the end of the pipe to make sure that it could be done by the town or the owner.

Chair Kasper suggested that the owner could leave a gap of eight feet in the wall or leave the split rail fence so that it would allow access if needed. It could be a solid wood gate to provide privacy. Ms. Gagliano said that it would still be a problem as they would need to excavate. Mr. Camp said that it would need to be large enough to get a big piece of equipment in there, so not less than twenty feet. Ms. Gagliano said that what you are saying is a removeable section of the wall and she would need to talk to the client about that. The applicant would allow access for any repair in the future as it would be for the benefit of the watercourse and the lake. She continued saying that all of this is on his property, and he understands that he would have to take care of it.

Mr. Camp reiterated that the town has the right to repair the pipe and Counsel Molnar said that he is somewhat familiar with the right but would need to refresh his recollection. Ms. Gagliano requested guidance and feedback from Counsel regarding what may have occurred in the past for the town and whether the town has the right to repair the pipe on private property. Counsel Molnar commented that this

is a unique situation with the request to place a wall over the culvert, which is a public piece of infrastructure. Mr. Camp commented that the issue of not building a wall over the pipe would also help with the drainage issue. The concern is what happens to the water in the stream if the culvert is totally blocked with debris or if the storm event is large enough that the culvert cannot pass it and the water goes totally over the road. Ms. Gagliano inquired as to what size storm event to consider, and Mr. Camp suggested a 100-year storm event. Although most town culverts are designed to a 25-year storm, but you want to know what is going to happen with a 100-year storm event. The culvert is approximately six feet wide and four feet tall and elliptical in shape coming onto the Lakelawn property.

Continued Review-Site Plan Review

Applicant: Linda Lavery
2864 Nunnery Road
Skaneateles, NY 13152

Property:
Pork St-future lot A
Skaneateles, NY 13152
Tax Map #034.-04-15.0

Present: Robert Eggleston, Eggleston & Krenzer Architects

The application is for a new single-family dwelling that will be located on the newly created Wirsig lot. The project also includes two bioswales to control drainage on the property with the second bioswale having an underdrain that will direct stormwater to the roadside ditch and away from the proposed septic system. Chair Kasper inquired if the septic system has been approved and Mr. Eggleston stated that OCDOH has approved the septic design. Chair Kasper inquired if a diversion swale will need to be placed around the septic field if there is truth that the land is wet there as the elevation does come down from the farm. Mr. Eggleston clarified that the neighbor was referring to the eastern portion of lot B rather than on this side of the property. He continued saying that there is a progressive slope between Lot A and B. Mr. Camp said that the topography indicates that there is a decent slope east to west going across the existing lot. OCDOT approval for the driveway cut will be obtained once the applicant has obtained zoning approval. Member Winkelman suggested that there should be a curtain drain around the septic field that should be taken to the road.

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

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

6. That the 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
7. The Site Plan 1 of 1 dated July 21, 2021 and Revised Narrative with Construction Sequence dated July 1, 2021, prepared by Robert O. Eggleston, Licensed Architect, be strictly followed; and
8. That the Applicant establish an escrow account with the Town of Skaneateles in the amount of \$250 for engineering review; and

9. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application.

RECORD OF VOTE

Chair	Donald Kasper	Present	[Yes]
Vice Chair	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Absent	
Member	Jonathan Holbein	Present	[Yes]

Amendment Request-33 lot subdivision

Applicant: Fox Run Subdivision
 Jordan Road Town Homes LLC Property:
 4302 Jordan Rd County Line Road
 Skaneateles, NY 13152 Skaneateles, NY 13152
Tax Map #018.-02-29.1

Present: Chris Graham, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

Mr. Eggleston stated that the applicant would like to complete the project in three phases with the first phase consisting of the southern portion of the road creating a temporary hammerhead that would be removed as part of phase 2. Phase 2 would consist of the eastern portion of the road with a temporary hammerhead that would be removed as part of phase 3 that would complete the road. Public water would be brought over from Lauder Lane as part of phase 1 and would be taken up to County Line Road for any future town connection with water lines in the area. Phases 2 and 3 would have water extended as part of the phases. Alan Wellington had written a note stating that he would like curved radius on the hammerheads. Mike Baker, the fire chief for Mottville, has commented that he had no objection to the plan of creating the road in phases.

The EAF has been modified to reflect the request for phasing. Chair Kasper inquired on the estimated length of time between phases, and whether the applicant intends to construct all the houses or just selling the lots. Mr. Graham said that once the road dedication issue is resolved he has someone ready to put in the water line. He continued saying he would like to see 2-3 years before the next phase would open. Chair Kasper commented that there has been concern expressed from the town about the road never being completed. The Town Board will determine acceptance of a road in phases or as a complete road. Mr. Eggleston said that they don't want to be treated any differently than any other subdivision. He continued saying that with the phase plan, the town is in a better position of receiving dedication of a small portion of the road rather than the entire road as they can tax more appropriately as homes are built within smaller time periods. Counsel Molnar stated that the Planning Board needs the feedback from the Town Board on whether it is inclined to accept dedication in phases, and what are their requirements prior to the Planning Board determination on phasing. He recommended that the applicant and his representative obtain that from the Town Board to have that free flow of information to have that as a supporting factor for the board's decision. Chair Kasper said that there is a concern that if phase 1 of the road is dedicated, that it may be damaged when the phase two road is installed. Mr. Eggleston clarified that there will be a construction road created to construct the phase 2 road so that the phase 1 road is not damaged.

Counsel Molnar stated that the Planning Board can review the SEQR today. Part 1 had minimal modifications, only to phasing, that the board could move on to review parts 2 and 3 of the SEQR

determination. The board reviewed sections of **part 2 of the EAF** where additional information was warranted, and noted the following comments:

1 Impact on Land -No Yes

- a. No
- b. No
- c. No
- d. No
- e. No-small.
- f. No
- g. No.
- h. None

2 Impacts on Geological Features -No Yes

3 Impacts on Surface Water -No Yes

4 Impacts on Groundwater -No Yes

5 Impact on Flooding -No Yes

6 Impacts on Air -No Yes

7 Impacts on Plants and Animals -No Yes

8 Impacts on Agricultural Resources -No Yes

- a. No
- b. No
- c. No
- d. No
- e. No
- f. No
- g. No
- h. None

Member Winkelman commented that has been a conflict with the neighbor across the road that has a dairy farm.

9 Impacts on Aesthetic Resources -No Yes

10 Impacts on Historic and Archeological Resources -No Yes

11 Impacts on Open Space and Recreation -No Yes

12 Impacts on Critical Environmental Areas -No Yes

13 Impacts on Transportation -No Yes

14 Impacts on Energy -No Yes

15 Impacts on Noise, Odor, and Light -No Yes

- a. No
- b. No
- c. No
- d. No
- e. No

16 Impacts on Human Health -No Yes

17 Consistency with Community Plans -No Yes

18 Consistency with Community Character -No Yes

As each question in part 2 has a response of No, the board can move on to part 3 determination of significance. The SEQR status was determined to be a Type 1 as previously was done, Counsel Molnar recommended to the board based on their responses, that this project will result in no significant adverse impacts to the environment.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Winkelman declare that this project will result in no significant adverse impacts on the environment, and, therefore an environmental impact statement need not be prepared, with a negative declaration issued. The Board having been polled resulted in the unanimous affirmance of said motion.

Member Winkelman inquired if the board will be discussing the phasing directly with the Town Board of if the applicant should have a discussion with the Town Board. The applicant for the Fox Run Subdivision application requested an extension for the preliminary approval for an additional six months.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Chair Donald Kasper and seconded by Member Jonathan Holbein, and after an affirmative vote of all Members present, the Skaneateles Planning Board **APPROVES** the Extension Request for an additional six (6) months.

Merger Request

Applicant: James Pulaski
 3065 East Lake Rd
 Skaneateles, New York
Tax Map #039.-01-07.1 & 039.-01-09.0

The applicant is requesting the merger of his two adjoining properties with one of the lots consisting of a boathouse. The applicant had previously obtained approval for the shoreline work. If the lots are merged then it would remove one nonconforming lot, and the created larger lot would include the boathouse, dwelling and garage. Mr. Eggleston stated that the garage second floor is an exercise room and not an accessory apartment as it does not have a kitchen. The garage with living space above would not be considered an accessory apartment would be a condition of approval.

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

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Holbein to notify the Town of Skaneateles Tax Assessor that this Board has no objection to the request of James Pulaski to

merge tax parcels 039.-01-07.1 and 039.-01-09.0 into one tax parcel if that the existing garage located on 039.-01-07.1 is for accessory living space only and not an accessory dwelling.. The Board having been polled resulted in the unanimous affirmance of said motion.

Discussion

The Town Board is determining whether they should opt out for consideration of allowing Cannabis dispensaries and consumption in the town. Chair Kasper commented that his understanding from the state is that wherever smoking is prohibited, cannabis would be prohibited as well. If the town opts to allow cannabis, then they would receive the proceeds from a 3% tax; if the village of Skaneateles opts to allow cannabis, then the town and village would share the proceeds of the 3% tax from the village area only and maintain the 3% for tax generated in the town. If the town opts to allow cannabis then the locations where it would be allowed would be in areas where retail and restaurants/bars are allowed in the Hamlet, HC, and IRO districts. If the town chooses to allow cannabis it will also need to consider how it may impact event centers. The Town Board will be conducting a Cannabis information meeting on August 24, 2021 at the Austin Pavilion.

Discussion

The Skaneateles County Club has an application with the Office of General Services for expansion of the existing marina.

WHEREFORE, a motion was made by Chair Kasper and seconded by Member Winkelman to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 9:28 p.m. as there being no further business.

Respectfully Submitted,
Karen Barkdull, Clerk

Additional Meeting Attendees(In-Person):

Robert Eggleston	Tom Zell
Jim Gillmore	Melissa Zell
Linda Gillmore	Tim Johnson
Joel Richman	Sandra Wickwire
Megan Richman	Martin Dillon
Chris Graham	

Additional Meeting Attendees(Zoom):

Kyle Pelizzan	Micha3l Santariello
Mark Tucker	Kate Armijo
Jeremy	Kyle Voltz
JoAnne Gagliano	Chris Nulty
Joe	PD iPhone