

**TOWN OF SKANEATELES PLANNING BOARD**  
**MEETING MINUTES**  
**November 24, 2020**

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

Chairman Southern opened the meeting at 6:30 p.m.

**Continued Review- Site Plan Review**

Applicant:	Steve Johnson	Property:	1729 Russell's Landing
	72 Cloudview Rd		Skaneateles, NY 13152
	Sausalito, CA 94965		<b>Tax parcel #063.-03-01.0</b>

Present: Robert Eggleston, Eggleston & Krenzer Architects

The application is for the replacement of the existing stairway that leads to the dock that is partially in town jurisdiction. The existing dock is at high flood level of 867' elevation and proposed is the encasement of the existing dock with a steel frame that will cap the existing dock resting on 1 and ½ foot piles. The stairway to the lake is in poor shape, and they would like to replace and relocate the stairs further northwest to connect with the dock that is partially on land; the stairs will float above the bank resting on piles and foundation landings at the top and bottom of the stairs. New stairs would be added from the cottage and the studio and have been pushed southward, and the steps between the two buildings would be set into the grade using timber and stone. Also, there are slight modifications to the retaining wall by the house that will be somewhat reduced.

Member Kasper commented that at his site visit he noted that there is a lot of fill that was brought in that is located right up to the dwelling and inquired on how it will be left at the end of the project as there is a ten foot drop off from the driveway to the original grade. Mr. Eggleston said that there was a temporary driveway that was installed during construction that will be removed and restored with grass. Clean fill was used around the building for drainage. Member Kasper expressed concern that he did not want to see the fill leveled off and grassed as it changes the land contours in the area. Chairman Southern inquired if it will be restored to the original contours and Mr. Eggleston replied that it will be done within reason. Member Marshall inquired if in a worst-case scenario, the fill was left, would it cause a drainage issue. Mr. Eggleston stated that he does not think it will change the drainage patterns. He continued saying that the location of the former stairs between the buildings may have been smoothed out, He said that the contours will be like the original contours of the property when they are finished. They would remove the top layer of stone and provide topsoil, then re-seed it in the spring.

Member Kasper said that the stairs will not work with the contours right now so they will have to be changed. His concern is with the area around the house that the applicant and guests are naturally going to drive right up to the house. The area has been flattened from the incline that existed before construction. Mr. Eggleston suggested that barriers could be placed to prevent people from driving in that area, whether it is a fence or boulders at the edge of the existing tarvia drive. Member Kasper said that would reduce the temptation for people to drive on the grass to park by the dwelling.

Member Winkelman commented that based on the character of the lot, ground cover would be more appropriate than lawn. Mr. Eggleston said that the applicant has minimal interest in lawn maintenance as he already must mow the leach field along the road and is not looking for additional work. There will probably be grass between the walking areas to the buildings and around the stairs as it has been in the past. Mr. Eggleston commented that in the narrative it does call out for ground cover to be placed on the steep slopes. Member Kasper inquired if the septic tank and the pumping chamber in front of the camp in the driveway. Mr. Eggleston said that it is in the temporary driveway area that will be restored to landscaping.

Member Marshall inquired about the jut in area by the lake. Mr. Eggleston said that they are putting in drain lines over the cliff. The roof gutters and drainage all go to a pipe that goes down to the bottom of the cliff to prevent erosion. Member Hamlin asked on the materials to be used on the new stairs and Mr. Eggleston responded saying that the lake stairs will be a steel structure with wood treads. The dock itself will have a steel superstructure. Member Hamlin stated that regarding Member Marshall's question on drainage, the board would have queried on drainage more had they know about the amount of fill that would be placed in that area. Mr. Eggleston said that the contours flattened out for the new stairs between the dwelling and there may be more fill in that area than anticipated. Member Marshall inquired if the water coming off the driveway will still go north, and Mr. Eggleston stated that there is a small natural swale in the area that will capture the stormwater as the driveway is pitched that way.

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

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

1. That the Special Permit/Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan 1 of 1 dated September 25, 2020, and Narrative with Construction Sequence dated October 1, 2020, prepared by Robert O. Eggleston, Licensed Architect, be strictly followed; and
3. That the Applicant restores the areas used for temporary construction access and structures that have been removed to as close to the original grade as possible; and
4. That barriers be placed to protect disturbed areas from parking of vehicles; and
5. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
6. Except as amended hereby, the conditions of the Prior Approving Resolution remain in full force and effect.

**RECORD OF VOTE**

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

**Subdivision Request**

Applicant:	Russel Zechman	Property:
	PO Box 9	3741 Fisher Rd
	Skaneateles, NY 13152	Skaneateles, NY 13152
		<b>Tax Map #033.-04-14.0 &amp; 12.0</b>

Present: Robert Eggleston, Eggleston & Krenzer Architects

Proposed is a lot line relocation and the creation of three residential lots in an open space subdivision of two lots totaling 12.3 acres. Parcel A would have an existing 2-bedroom dwelling with associated septic system that would be enlarged to 3.69 acres, and include land that has an existing hangar, garage, shed and two ponds. Lot A would also be responsible for the 5.2-acre conservation lot at the rear of the property that contains a large pond and some steep slopes. The remaining 3.4 acres would consist of residential lot B1 at 1.22 acres, lot B2 at 1.17 acres and lot B3 at 1.01 acres. Lots B1, B2 and B3 would share the same driveway access off Fisher Road, and Lot A would use the existing access off Fisher Road.

Rudy Zona had provided drawings for the water line extension with an easement agreement to the town for access. Stormwater swale will be along the shared driveway that will drain into the conservation lot. Septic designs are pending with the OCDOH. The delay in the continuance of the subdivision request was caused by the water district having fire flow and pressure issues. The Village of Skaneateles has completed the water improvements to their system that feeds into this district that have positively impacted the fire flow and water pressure. Tests have been completed in October 2020 that reflect that the water pressure that is now adequate in the area, and the OCDOH will be able to review and approved the septic plans. A public hearing was opened on November 15, 2016 and continued each month until the public hearing closed on March 21, 2017. The applicant granted extension of the application decision until the water improvements were completed and the fire flow pressures deemed adequate.

The properties are in a town water district and the town board will need to approve the extension of the waterline. Mr. Eggleston requested that the application be advanced on the next agenda. Mr. Coville commented that he is putting the board on notice that a new public hearing should be held for this application. The board determined that there is no requirement for re-opening the public hearing based on the updated water improvements in the district.

**WHEREAS**, based on Fire Flow Testing correspondence prepared by C&S Engineers, dated October 20, 2020, it has been determined that the Improvements have achieved positive results, according to which the Applicant has requested that the Planning Board place the Application on its next agenda in December 2020, for further consideration.

**NOW, THEREFORE**, upon a motion made by Member Donald Kasper, seconded by Member Douglas Hamlin, and upon the affirmative vote of all Members present, as set forth in the Record of Vote referenced below, the Skaneateles Planning Board approves advancing the Application to its next agenda, and has instructed the Planning Board Attorney as follows:

1. To review the Application, prior correspondence, and minutes of the Board on topic, and suggest applicable subdivision conditions for the Planning Board's consideration;
2. To review draft Conservation Easement and other documentation submitted by the Applicant, provide suggested edits or other modifications thereto acceptable to the Planning Board, and communicate those modifications to the Applicant and his professionals; and
3. To prepare and circulate a draft Resolution for the Planning Board's consideration.

#### **RECORD OF VOTE**

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

#### **Sketch Plan- Site Plan Review/Merger**

Applicant:	Brian Mackin	Property:	1993/1991 West Lake Rd
	1993 West Lake Rd		Skaneateles, NY 13152
	Skaneateles, NY 13152	<b>Tax parcel #</b>	<b>059.-02-22.0 &amp; 059.-02-23.0</b>

Present: Brian Mackin, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The applicant owns two lots on West lake Road that total 86,646SF that he is proposing to be merged. 1991 West Lake Road is a vacant lot and 1993 West Lake Road contains a 1,098SF 3-bedroom dwelling that he would like to add a 16'x22' deck with steps to the west side of the dwelling, a 224 SF foot shed behind the dwelling, and expand the driveway on the east side of the dwelling for easier access to the front door of the dwelling. The raised ranch dwelling has the garage located to the south that is at the lower level without a walkway to the front door on the east side of the house. The dwelling is located 81.3 feet to the watercourse, to the south, with the proposed deck located 81.7 feet to it. With the lots being merged, the impermeable surface coverage will decrease from 7.6% to 6.5% and the open space will increase from 92.4% to 93%.

Mr. Camp inquired if the new driveway will be constructed at existing grade and Mr. Eggleston responded saying that it will follow the existing grade as it is gentle. Member Kasper asked the type of watercourse that is located on the property. Mr. Eggleston said that it is a seasonal watercourse with the drainage coming from Weeks Road. The property is across the street from the Norman property. This watercourse differs from the watercourse on the Norman property as the Norman watercourse takes all the stormwater from West Lake Road with the volume considerably more than the watercourse on the Mackin property. The Mackin watercourse is mostly dry with an occasional trickling of water. The ravine is approximately a foot or two down with vegetation around it and with natural succession trees. The culvert is under Route 41A by the Normans. This watercourse drains into the road ditch and then to the Norman watercourse. Site visits will be done independently, and the application will continue next month.

#### **Sketch Plan- Site Plan Review**

Applicant:	Bryan Lubel	Property:	2396 Wave Way
	LLC Bushel and A. Peck Properties		Skaneateles, NY 13152
	27 Muirfield Ct	<b>Tax parcel #</b>	<b>056.-02-34.0</b>
	Pittsford, NY 14534		

Present: Bryan Lubel, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The 20,897 square foot property has a preexisting 3-bedroom seasonal cottage and with a 243 square foot screened in porch. The dwelling has a 6' 6" high cellar with a crawl space located under the porch that is accessed by Bilco doors. Proposed is the rebuild of the porch cellar and to raise the height of the cellar from 5' 5" to 6' 6" to meet the same height as the cellar under the dwelling. The porch will have quad-track storm panels and will be under the existing roof structure. There is no change to the footprint, floorspace, or lot coverage of the property. A temporary drive will be installed between the dwelling and the neighboring watercourse to the north of the property. The existing septic is on the south side of the property

Member Kasper commented that the existing gravel driveway does not show in the photos provided. Mr. Eggleston responded that it has greened up a bit. Mr. Brodsky inquired about the elevation around the porch and Mr. Eggleston said that it is very flat with the porch about three feet lower in elevation than the west end of the dwelling. Mr. Camp inquired if the fill will be removed from the site and Mr. Eggleston confirmed that the excess fill will be removed after the foundation is backfilled.

Member Kasper asked on the drainage patterns for the dwelling with new cellar, and Mr. Eggleston said there are drains on site that they will tie into. Mr. Lubel stated that there is a French drain that runs down the south property line from Wave Way that was installed 15-18 years ago. Member Kasper recommended that the roof and basement drains should tie into the French drain. Mr. Lubel commented that there is a steep ravine located on the property to the north that collects the excess stormwater from Anyela's Vineyard and other properties to the west. Mr. Camp said that he prefers to have the roof gutters daylight onto the lawn and have the footer drains lead to the French drain. Site visits will be done independently, and the application will continue next month.

#### **Sketch Plan- Special Permit/Site Plan Review**

Applicant: David & Lynn Brown  
1620 New Seneca Tpke  
Skaneateles, NY 13152

Property: 1620/1630 New Seneca Tpke  
Skaneateles, NY 13152  
**Tax parcel #033.-05-01.2 &  
033.-05-03.1**

Present: David Brown, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The applicant owns lot A, the most western lot, and his mother owns lot B that is the large lot east of this lot, both with road frontage on New Seneca Turnpike in the IRO district. Both lots have been developed with single family dwellings. The properties were part of a subdivision originally proposed in the 1970s for 20 lots that was never completed. Proposed is a five-lot open space subdivision with lot 1 at 49,772 square feet with an existing dwelling; lot 2 at 46,154 square feet of vacant land and an access easement to the conservation lot; lot 3 at 47,925 square feet with an existing dwelling; lot 4 at 23,512 square feet of vacant land; and a 5.81-acre conservation lot that would be behind all the lots and adjacent to the conservation lot that Mr. Zechman is proposing. The applicant would acquire lot 2 and construct a retirement home.

Although a conventional 4 lot subdivision could be created, it would not preserve any land in conservation. As the properties are serviced with town water, the lots can be as small as a half-acre in an open space subdivision allowing 60% of the land area to be placed in conservation. Lots 1, 2, and 3 are approximately one acre each, with lot 4 at a half-acre. Hamlet design standards will allow the lots to be conforming to dimensional requirements.

In the process of reviewing the land analysis, there are many half to one acre lots in the area and there is a farm field to the west, and to the south farmland and natural succession land. To the east is the proposed conservation land from the Zechman subdivision. There are no steep slopes, wetlands, or watercourse on

the properties. The south half of the properties is proposed for conservation due to the proximity to other land that will be in conservation.

In the IRO district, impermeable surface coverage for an open space subdivision is 30% for the entire subdivision including open space areas. They are proposing 30% impermeable surface coverage on each of the residential lots. They are required to have a 100 setback to the conservation area from a structure if the conservation lot is on the same lot at the residential lot. The applicant would like to own the conservation lot in addition to the proposed lot 2. There would be a 30-foot easement between lot 1 and lot 2 to provide separate access to the conservation lot and provide more buffer space between lot 1 and 2.

Member Kasper inquired if the conservation lot would be a separate lot or connected to one of the residential lots. Mr. Eggleston said that it would be a separate lot with a restriction that it would be owned by one of the lot owners. Mr. Eggleston said that §148-9G(3) has the limitations that are allowed on the permanent conservation easement. Mr. Camp commented that when he sees a separate conservation lot that will have limited value in the future and the owners eventually stop paying the taxes on it. Mr. Eggleston commented that the reason it is a separate parcel is an unintended consequence of the zoning law. It could be part of lot 2; however, it restricts the building envelope for the lot because he would be required to have a 100-foot setback from the conservation lot limiting the owner the ability to place a pole barn, for example. Member Kasper inquired if that is a condition that Planning Board can set as he would rather see the conservation lot attached to a lot. Mr. Eggleston said that if the board is willing to have the building envelope remain the same he would not have a problem making the conservation lot part of lot 2. Mr. Brodsky said he thought the impact of the 100-foot setback is on the open space rather than the building envelope. Mr. Eggleston said that the applicant is fine with working with the limitations of the conservation area as he would put in a walking path or garden as they are permitted uses. Mr. Brodsky stated that §148-9G(10) the required open space land may not include private yards located within 100 feet of a principal structure, which affects the open space land and not the building envelope. Mr. Eggleston said that the principal structure must be 100 feet from the conservation land, which would allow accessory structures further back. Mr. Brodsky suggested that the conservation area could be portioned to be connected to other lots as well, and Mr. Eggleston said that he would like the lots 1, 3, and 4 to stay the size as proposed. Mr. Brodsky suggested that if the conservation lot and lot 2 were on the same lot then the 30-foot easement could be removed, and the building envelope to become wider. Members Kasper and Marshall said that they supported the relaxing of the 100-foot setback for the benefit of having the conservation lot as part of lot 2. Counsel Molnar stated that the board maintains the flexibility to waive conditions which improve the outcome of the subdivision application by connecting the conservation lot to lot 2 is worthy cause for the Planning Board to consider.

Mr. Eggleston inquired if lot 1 went all the way back to the south with 1 acre of conservation area and lot 2 kept the remainder of the conservation area, would appeal to buyers as Linda Roche said that people looking for a house like on lot 1 like to have land with it. Member Kasper commented that the conservation agreement would be the same on both lots. Mr. Camp said that when he had done his cursory review, he noted that the fifth lot should be removed, and all the 4 lots should have a portion of the conservation lot. Member Marshall inquired if that would not be the preference to keep the conservation area large. Counsel Molnar stated that it would remain large and encumber the four new lots in the same area keeping the land unsegmented. Mr. Brodsky said that by splitting the area to four lots there may be an enforcement issue that the town would want to avoid. He continued saying that what is required is a contiguous conservation area, whether it is one large lot or four contiguous lots. Chairman Southern inquired if the tax liability would increase if the conservation area were divided amongst the four lots. Mr. Eggleston stated that the conservation area has little value as it is not buildable. The Butters Farm subdivision has four conservation lots that have minimal value as there is no development opportunity. Chairman Southern commented that the town may be in a better position if the area is one conservation area rather than segmented. If it were segmented, the four individual owners could do something different with each portion of the conservation

area. Mr. Eggleston said that there are restrictions on what is allowed in the conservation area. Member Marshall commented that if there were trails put in then would not the town prefer a larger parcel for the community. Mr. Camp reminded that this would-be private property. Mr. Brodsky recommended that Mr. Eggleston develop the language on how the conservation area would be managed. Mr. Eggleston said that he would like to discuss this with his client, and if the 100-foot setback to the conservation area is not an issue, they have no problem joining the conservation lot with lot 2. Mr. Brown concurred with Mr. Eggleston on the combining of the conservation area with lot 2 if he would not be required to have the 100-foot setback. He continued saying that his intent is to leave the conservation natural and wild. Mr. Eggleston commented that he will prepare a plat plan that shows the conservation lot combined with lot 2, and with the 30-foot easement removed if the board is in support of not requiring the 100-foot setback to the conservation area. Mr. Brodsky suggested that the impermeable surface and lot coverage be calculated for each lot, and a description of how the conservation lot will be controlled. Mr. Eggleston stated that the language will be verbatim per the section of §148-9G(3). Chairman Southern suggested that the town's DRA fund can be used to offset costs of establishing the conservation easement document. The board will wait for the application to be complete before scheduling a public hearing.

**Continued Review- Major Subdivision**

Applicant	Chris Graham	Property:
	4302 Jordan Rd	County Line Rd
	Skaneateles, NY 13152	Skaneateles, NY 13152
		<b>Tax Parcel #018.-02-29.1</b>

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

Engineering discussions have continued with the town regarding the waterline, storm drainage and roads have occurred. The town board attorney had updated Counsel Molnar on the town board's position. An update to the plan regarding the waterlines will be forthcoming that demonstrates that the water will be connected from Visions Drive, through the subdivision and end on County Line Road that will allow the town to connect it to Phillips Street at a future date. The configuration of the lots and roads have been set and the applicant is ready for a public hearing on the plat plan.

Counsel Molnar said that he had a conversation with town attorney, Brody Smith. He conveyed that the Town Board does conceptually support the creation of a stormwater drainage district, the subdivision without the need for the applicant to create an HOA, subject to the final details being sorted. The stormwater management being part of the lots adjacent to them is conceptually supported by the Town Board with required stormwater easements in place for all lots in the subdivision and the town. The stormwater ponds do not need to be officially titled to an HOA to be efficiently managed. The Town Board finds it conceptually acceptable for the extension of the water district to serve the subdivision with lines to be installed by the applicant and dedicated to the town subject to final detailed being sorted out. The Town Board conceptually supports the creation, preliminary design and intended dedication of the roadway subject to final details being sorted. The Town Board is actively reviewing the project and proceeding in a positive manner without any complex issues to be sorted out.

Counsel Molnar continued saying that the Planning Board has completed SEQR with a negative declaration and filed as required with the NYSDEC and published in the environmental news bulletin. The Planning Board can move forward and schedule a public hearing if it is the wish of the board. He recommended that the Planning Board consider a draft approving resolution to contemplate conditions important to the Planning Board to be included in any future resolution when the time comes. Drainage Easement documents should be drafted for circulation and editing for the Planning Board and the applicant. He recommended to the board that he prepared a draft resolution with all the conditions.

**WHEREFORE**, a motion was made by Member Kasper and seconded by Member Hamlin to schedule a public hearing. on *Tuesday, December 15, 2020 at 6:30 p.m.*, and task Counsel Molnar to prepare the approving resolution. The Board having been polled resulted in the unanimous affirmation of said motion.

**WHEREFORE**, a motion was made by Member Hamlin 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 8:00 p.m. as there being no further business.

Respectfully Submitted,

Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston	Bryan Lubel
Tom Hancock	Tom Blair
David Ketchum	Ed Reid
Davis Brown	Chris Graham
Brian Mackin	Chris Buff
Robert Coville	bdbuff
Kohilo Wind	