

**TOWN OF SKANEATELES
ZONING BOARD OF APPEALS
MEETING MINUTES OF
April 1, 2025**

Present:

Denise Rhoads, Chair (Via Zoom)
Kris Kiefer (Arrived 7:05 pm)
David Lee
Sherill Ketchum
Scott Molnar, Attorney
Karen Barkdull, P&Z Clerk
Aimie Case, ZBA Clerk

Vice Chair Palen opened the Zoning Board of Appeals meeting at 7:00 pm. Chair Rhoads was present via Zoom. Previous distribution to the Board of the regular meeting minutes of February 4, 2025, and March 4, 2025, was executed, and all Members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Vice Chair Palen and seconded by Member Ketchum to accept the February 4, 2025, minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion.

	<u>Record of Vote</u>	
Chair	Denise Rhoads	Present [Yes] (Via Zoom)
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Absent [X]
Member	Dave Lee	Present [Yes]
Member	Sherill Ketchum	Present [Yes]

WHEREFORE, a motion was made by Member Ketchum and seconded by Vice Chair Palen to accept the March 4, 2025, minutes as submitted. The Board having been polled resulted in unanimous affirmation of said motion.

	<u>Record of Vote</u>	
Chair	Denise Rhoads	Present [Yes] (Via Zoom)
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Absent [X]
Member	Dave Lee	Present [Yes]
Member	Sherill Ketchum	Present [Yes]

Public Hearing Continuance - Interpretation

Applicant:	Jolene Fitch Finger Lakes Fabrics, LLC 1400 East Genesee Street Skaneateles, NY 13152	Property:	1400 East Genesee Street Skaneateles, NY 13152 Tax Map #042.-01-10.1
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Present: Robert Eggleston, Eggleston & Krenzer Architects, PC

Vice Chair Palen stated that this application is a request for code interpretation, made by the Planning Board. Counsel Molnar provided a draft resolution for the Board to review.

Counsel Molnar stated that the agenda reflected a continuation of the public hearing and recommended to the Board that they open the public hearing, if necessary, invite the applicant to comment, then close the public hearing before beginning review of the resolution.

WHEREFORE, a motion was made by Member Lee and seconded by Member Ketchum to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion. No one spoke in favor, against or had any other comments.

Mr. Eggleston stated that nothing had changed since the last meeting. Unless the board had any questions, he and the applicant felt that they had laid out all the information necessary for the Board to make an Interpretation.

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

At this time, Counsel Molnar requested that the Board entertain a motion under SEQR for determination on this action. He explained that the Planning Board was concerned about whether it had jurisdiction and authority to approve the application for amendment of a special permit. It has the authority under state law and our town code to request an Interpretation from the ZBA. Such an Interpretation neither approves nor denies an action, but under SEQR it is specifically classified as a Type II action, not subject to further review under SEQR, as Interpretations are specifically excluded from further review. Counsel Molnar recommended that the Board classify this action as a Type II action, not subject to further review under SEQR.

WHEREFORE, a motion was made by Chair Rhoads and seconded by Member Ketchum to consider the proposed action as a Type II SEQR action as per section NYCRR617.5(c)(37) and not subject to SEQR review. The board having been polled resulted in the unanimous affirmation of said motion.

Member Kiefer arrived at 7:05pm.

Counsel Molnar stated that he had formulated a draft resolution based on his review of the minutes from the past two ZBA meetings, public hearing comments, the record created on the application, as well as his privileged communication with board members. He reviewed the resolution with the board.

Member Kiefer stated that from his perspective, he appreciates the work done. This has been a challenging application- both interesting and unique. The conversation had resulted in some good changes at the site in terms of access, emergency egress, and so on. They tried to narrow the interpretation and really limit the precedential effect which was a concern of his throughout the process. He appreciates the applicant's approach to that, and Scott crafting the resolution. Member Lee stated that the resolution accurately sums up all of the work that went into this. Vice Chair Palen stated that the focus had been successfully narrowed, which was certainly important to the ZBA.

WHEREFORE, a motion was made by Member Kiefer and seconded by Member Ketchum to accept the Interpretation Resolution. The Board having been polled resulted in unanimous affirmation of said motion.

**INTERPRETATION RESOLUTION
OF THE SKANEATELES ZONING BOARD OF APPEALS
Action date: April 1, 2025**

PLEASE TAKE NOTICE that the following resolution was adopted at the Zoning Board of Appeals (“ZBA”) Regular Meeting held on April 1, 2025:

WHEREAS, application was made Jolene Fitch of Finger Lakes Fabrics LLC, 1400 East Genesee Street, Skaneateles, New York 13052 (the “Applicant”) for the property located at 1400 East Genesee Street, Skaneateles, New York 13052 (“Property” or “Project”) owned by Flex Warehousing East Genesee LLC with an address at 4004 Box Car Lane, Syracuse, New York 13219 (“Owner”), requesting amendment of the Special Permit approved and last amended by the by the Town of Skaneateles Planning Board (“Planning Board”) on November 15, 2022 (the “Special Permit”), to also permit transient lodging as an accessory use to a group instruction service business primary use at the Property, which application is currently being considered by the Planning Board (the “Application”) for property located in the Highway Commercial (“HC”) zone district; and

WHEREAS, noting that Skaneateles Town Code Section 148-4-4 permits primary uses including lodging facility, retail business, and service business in the HC district, the Planning Board found that this Code section, and other pertinent Code sections and applicable definitions, do not clearly provide authority to the Planning Board to approve transient lodging as an accessory use to group instruction service business use in the HC zone (the “Question Presented”); and

WHEREAS, pursuant to Town Code §148-45, and the provisions of §267 of the Town Law of the State of New York, the Planning Board requested that the ZBA undertake an interpretation of Section 148-4-4 on the Question Presented, given that the ZBA is empowered to render such an interpretation at the request of any officer, department, board or bureau of the Town; and

WHEREAS, when considering the Question Presented, the ZBA reviewed the Application to determine that the Applicant occupies 6,936 SF of space within a 21,500 square foot mixed use commercial building currently approved by the Special Permit for office, retail, and warehouse businesses, and that the Applicant utilizes its space according to the Special Permit as a retail quilt and fabric store, according to special conditions imposed by the Planning Board for such use; and

WHEREAS, the ZBA further considered the Application to review proposed modifications to the Property offered by the Applicant to the Planning Board, reflecting proposed construction and establishment of two dormitory style sleeping areas within the intended group instructional area to be used by patrons for periodic quilting and crafting retreats; and

WHEREAS, the ZBA additionally considered comments in opposition to the Application by the Town of Skaneateles Code Enforcement Officer (the “CEO”), who recommended against amendment of the Special Permit on the basis that this use does not fit in the location, is potentially not compliant with uses in the HC zone because of the transient and barracks style lodging

proposed, and because Skaneateles Fire Chief Sell concluded that the Fire Department does not support sleeping quarters for this Property (the CEO Position”); and

WHEREAS, in order to complete the interpretation requested, the ZBA heard and reviewed the CEO Position, heard and reviewed submissions to the ZBA by the Applicant, researched legislative history of the Code, and duly held a public hearing on the matter on February 4, 2025, which hearing was continued to and concluded at a regular meeting of the ZBA on March 4, 2025; and

WHEREAS, as part of its review of legislative intent, the ZBA reflected on the definition of “accessory use” from the inception of Town Code in 1966, to present, which evolved as follows:

1966: The term “accessory use” means a use, not otherwise contrary to law, customarily incidental to the use of a building for dwelling purposes.

1985: A use, not otherwise contrary to law, customarily incidental to the use of a structure for dwelling purposes.

1996: A use customarily incidental and subordinate to the principal use or building, and located on the same lot with such principal use or building.

2005: A use customarily incidental and subordinate to the principal use or building and used in conjunction with such principal use or building.

2020: A use which is customarily incidental to and subordinate to the principal use of a lot or structure, located on the same lot as the principal use or structure.

WHEREAS, additionally, the ZBA observed that Section 148-4-1.E provides as a preamble in the HC zone regulations that:

“Accessory uses that are customarily associated with specific principal uses are allowed on the same basis as the principal use (i.e., by right subject to Site Plan approval, or by Special Permit.);” and

WHEREAS, the ZBA also considered the following definitions from Section 148-12 as material to the interpretation requested:

“Lodging Facility – Any hotel, motel, inn or other establishment, other than a bed-and-breakfast, providing sleeping accommodations for transient guests, with or without a dining room or restaurant.”

“Service Business – A business or nonprofit organization that provides services directly to the customers, either on or off the premises, including but not limited to building, electrical, plumbing and landscaping contracting, arts and instruction or studio, business and educational services, catering, health club, house cleaning services, locksmith, office support services, furniture repair and restoration services, and tailoring. “Service business” does not include retail business, restaurants, warehouses, or other uses separately listed on the use tables in Article 4. A service business may include the sale of accessories, supplies, and incidental items, provided that if more than 20% of the floor space is used for such sales, it will also be considered a retail business.”

WHEREAS, in further consideration of the interpretation, the ZBA heard specifically from the Applicant, who provided four examples in municipalities in New York, and nearby, where similar quilting and fabric sales establishments have retail, group instruction, and lodging, all in the same building, with additional information provided to demonstrate that group instruction quilting retreats

are becoming more common, together with letters of support from the public in favor of the Application; and

WHEREAS, the ZBA also considered the Applicant's argument that a controlled limited lodging facility, by having it an accessory use to a retail and group education service business, is an appropriate subordinate use, despite that it does not yet exist in our community, which does not preclude it from being a customarily incidental or subordinate use; and

WHEREAS, lastly, the ZBA also took judicial notice of common Webster's Dictionary (Merriam-Webster.com. 2025. <https://www.merriam-webster.com>) definitions, including:

- "Customarily – by or according to custom or established practice and/or in accordance with the word "customary," defined as: commonly practiced, used or observed"
- "Incidental" being defined as: "accompanying but not a major part of something," and
- Subordinate" is defined as: "to treat as of less value or importance"

WHEREAS, the ZBA declared this application a Type II action pursuant to 6 NYCRR617.5(c)(37), which exempts interpretation of an existing code, rule, or regulation from further review under SEQR.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Kiefer, duly seconded by Member Ketchum, and after an affirmative vote of all Members present as recorded below, the Town of Skaneateles Zoning Board of Appeals has determined:

1. The Code is neutral on the Question Presented, as such the Code neither specifically allows nor precludes the Planning Board from making a determination on the Application.
2. Therefore, there is a need for the ZBA to complete an interpretation, for a situation unique to the Town of Skaneateles, with no local examples of primarily retail or service business principal use settings, offering lodging as an accessory use.
3. The definition of *lodging facility* in the zoning code applies to this proposed occupancy.
4. The control of such use lies completely in the realm of the Special Permit issued by the planning board, where control and regulation of the Property is limited by special conditions.
5. It has been sufficiently established for the record that there are numerous establishments in New York and elsewhere that incorporate lodging for the purpose of a craft retreat for instruction and social interaction, incorporated into retail establishments.
6. Upon thorough analysis of the factors set forth herein, in review of legislative intent and history set forth herein, in review of the definitions herein discussed, and in consideration of examples and facts made part of the record, the ZBA interprets Section 148-4-4 as **permitting** the Planning Board to approve a service business principal use in the HC district, which provides group instruction for the purpose of craft retreat or workshop, with lodging being customarily incidental to and subordinate to the proposed group instruction use, and that as such, lodging is a permitted accessory use by Special Permit in the HC district, for the Application and Property under Section 148-4-4.

RECORD OF VOTE			
MEMBER NAME	AYE	NAY	ABSTAIN
Chair DENISE RHOADS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Chair DAVID PALEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member KRIS KIEFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member DAVE LEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Member SHERILL KETCHUM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing

Applicant: SUNN 1017, LLC
700 West Metro Park
Rochester, NY 14623

Property: Jordan Rd. / Vinegar Hill Rd.
Skaneateles Falls, NY 13153
Tax Map A #018.-04-31.1
Tax Map B #018.-04-29.1

Present: Andrew VanDoorn, President, Abundant Solar Inc.
Matt McGregor, Sr. Director, Abundant Solar Inc.
Rebecca Minas, Sr. Engineer, Barton & Loguidice, D.P.C.

Vice Chair Palen stated that this application is a proposed solar redevelopment project to span across two contiguous remedial lots. It is the site of the former Stauffer Chemical Company.

Ms. Minas stated that nothing had changed since the last time they met with the ZBA. She noted that a public information meeting was scheduled for the Planning Board meeting on Tuesday, April 15, 2025. She clarified that this was not the Planning Board's public hearing, but a time for the public to ask questions and collect information.

Ms. Minas gave an overview of the project for residents in attendance at the ZBA meeting. She stated that NYS standardized interconnection requirements limit community solar to 5MW. This project is 10MW, so it needs to sit on two parcels. The site is a former remediation site and is still under a monitoring program run by the DEC. This monitoring will be ongoing once the solar panels are installed. For that reason, the panels are proposed to be ballasted on concrete supports. There will be no digging or drilling into the ground. One of the two projects will sit up front closer to Jordan Road. The other will sit behind that, closer to Vinegar Hill Road. There is an existing drive that comes from Vinegar Hill Road which will be maintained. The drive will not be improved, changed, or used as main access. It will serve as secondary access if needed. The main access is on Jordan Road.

The Applicant is looking to do a lot line adjustment to shift the boundary between the two 5MW projects. The Jordan Road access will maintain the existing alignment. Location of that access will be maintained at the gate and will follow the existing drive that goes into the site for a period, crossing Skaneateles Creek in the same location where it is today, with no proposed improvements or impacts to the creek. After crossing the creek, the drive will follow a new alignment toward the center of the solar panel area.

Ms. Minas stated that in terms of project coordination and the different agencies, the Planning Board has declared intent to be lead agency. The Planning Board will undertake SEQR, site plan approval, and special use permit. The ZBA is involved because of the four variances being requested (two for each project).

The variances being requested from the ZBA are as follows: The first is the required 100-foot setback at the front of the properties. Jordan Road and Vinegar Hill Road will both maintain 100-foot setbacks, or more for much of the project. Internal setbacks, post lot line adjustment will have only 20 feet between the panels and the lot line internal to the site. This is because of requirements to have each project on a separate parcel and the intent to keep the projects as far back as possible from public roadways. The second variance for each project is maximum lot coverage. Per solar code, maximum lot area coverage is 25%. Per Town of Skaneateles code, this is calculated by measuring the perimeter of the outside of solar panel area inside that line. Ms. Minas stated that when you take that calculation, and to have a viable project of 5MW on each parcel, they are at 30% and 31%, respectively. This is slightly higher than what town code allows for, but they prefer not to pull the panels closer together and close in the footprint. They are trying to maintain a certain distance between panels within the rows. This is the cause of a larger footprint. Ms. Minas added that they are still able to maintain necessary open space between panels in regard to stormwater management and sheet flow, as well as setbacks from roads. They are also able to accommodate existing and proposed vegetation for screening. She added that board members will conduct a site visit on April 26, 2025, at 9:00am.

WHEREFORE, a motion was made by Member Lee and seconded by Member Kiefer to open the public hearing. The Board having been polled resulted in unanimous affirmation of said motion.

Vice Chair Palen asked if there was anyone who would like to speak in favor of, against or had any comments regarding the application.

Kathleen Dec, 4495 Jordan Rd, said that she is in opposition to the project and her property is directly across from the property. She has lived there through the remediation of the property with the trucks that were constantly in motion for over eighteen years. They are close to the road, and she was hoping that the creek would be more protected. During the hamlet meetings it was proposed that the Charlie Major trail could be connected through the hamlets of Mottville and Skaneateles Falls, then into Jordan. Given the natural habitat, the creek would not be protected from the proposal. Nature has already tried to take back the area. My neighbor would be directly affected by it. There are 22 neighbors that are directly facing this proposal. She is hoping that the board will listen and address the neighbor concerns.

Lori Blewett, 4509 Jordan Rd, invited the board to come to her house and see that there will be no trees that will block the view of the solar. She asked if the solar facility will be a lease and end after a certain number of years. Mr. Van Doorn replied that the lease will end after 25 years. Ms. Blewett asked what would happen if the panels do not work. She also inquired about the wildlife that is in the area today. Mr. VanDoorn said that they have solar all over New York State; there will be a maintenance plan and a decommissioning plan at the end of the lease where the area would be returned back to meadow. The construction of the project does not cause much disturbance or ongoing traffic. They have been installing the systems for over eight years, with one in Manlius. What they have found is the animals including deer have figured how to get through the fences so the animals would not be affected. As part of the decommissioning plan they are required to put up a bond that accumulates funds throughout the 25 years that would allow the town to remove the solar system in the event that the solar company failed to do so. The solar array system will be ballasted, meaning that the arrays will be set on a concrete base that is set on the land and not disturb the land. They are willing to do outreach to the 22 neighbors and see what can be done in regard to vegetation

by the road or internally on the site. They would like to ensure that from your properties you only see green.

Darlene Cashin, 4517 Jordan Rd, said that they are directly across the street. They were under the impression that it was going to be a green space or trails. She questioned why this and why there, and what is the town gaining with this proposed solar system. She continued saying that they are certainly losing. Counsel Molnar said that the owner of the property has made application, and the town needs to react to that application. Mrs. Cashin inquired as to the owner of the property. Counsel Molnar replied that it is Stauffer Management Company LLC. Mrs. Cashin asked where the solar energy is going. Mr. Vandoorn said that the proposal is for community solar, so anyone can benefit from the discounted solar energy created. When you subscribe to the community solar, you save up to 10% on your electrical usage. Mrs. Cashin said that it is no different than tapping into any other community solar out there except that those are not in their front yard. Mr. VanDoorn said that the remediated waste site has limited uses allowed, with solar energy being one of the allowed uses. Most towns offer a pilot programs where the solar company pays a yearly payment to the town in lieu of taxes. The property would remain under Stauffer ownership with Abundant Solar being the lessee. He continued saying that in terms of the creek, it is regulated, and they have to be 100 feet from the creek for development of the solar array.

John Cashin, 4517 Jordan Rd, said that most of this is on the Jordan Road side of the creek. Ms. Minas said that the majority of the solar array is on the eastern side of the creek back up into the fields. Mr. Cashin suggested that the solar arrays should be pushed back towards Vinegar Hill Road. Ms. Minas explained that there is an existing water easement towards the back side of the lot and the land slopes up in the southeast corner of the lot. Both of these factors limit how far back the solar array system can be on the lot. Mr. Cashin said that it sounds like a lot of power and most of it is on the Jordan Road side. He asked where the inverters would be located as they can make a humming noise. Mr. Van Doorn said that the inverters they use emit 50dB and meet the required sound requirements, and when you stand by the fence you would not hear anything. He continued saying that there will be 22 inverters per site and they are located a few hundred feet in from the fence.

Darlene Cashin, 4517 Jordan Rd, we are up hill from it, and we look down at the fields and can hear the creek today that is over 100 feet from the road. Mr. VanDoorn said that they must meet sound requirements. It is the same as a piece of electronic equipment like with a laptop with a slight buzz or vibration. There is a deliberate effort to condense the systems as much as possible to have a vegetative buffer. The only area is the smaller blue area near Jordan Road that will be at a lower height that will be easier to screen.

Lori Blewett, 4509 Jordan Rd, asked how many acres the solar array systems will take up. Counsel Molnar commented that the total site is 117 acres with 20 acres of remediation. Mr. Van Doorn said that it would be 36 acres of coverage. Ms. Blewett asked what impact the solar array system had on the assessed values of homes. Mr. VanDoorn replied that across the United States and in New York, properties next to solar array systems do not decrease or increase in value due to the location of the solar array.

Kathleen Dec, 4495 Jordan Rd, asked if the assessed value of the Stauffer property will increase due to the solar array systems and Mr. Van Doorn said that it does not as it is considered temporary equipment installed for 25 years. Stauffer will continue to pay their taxes as usual, and they would pay the Pilot payment annually.

Chirs Buff, 780 Sheldon Rd, said that she understands there are restrictions on noise that must be followed; however, if you go up to the transfer station and listen for awhile and you do hear them. Living next door is a whole new ball game. Noise travels, especially low base sounds like the humming with these panels. She asked if the panels will be stationary or track the sun. What will happen with the ballasted arrays with high winds and stormy weather. Get a list of folks who have subscribed to community solar at the transfer station and ask them what they are not getting. Mr. VanDoorn said that they were not involved with the system at the transfer station and cannot speak to the savings. With the proposed system with the small inverters spaced out and isolated, they have done sound studies and there will be no sound outside of the fence. The solar arrays will be on a fixed system and will not track the sun. The ballasted racking was designed by engineers taking in consideration worst weather conditions. The weight of the blocks will be heavy enough to resist wind and snow. All the electrical connections are cfi and would shut off with extreme exposure to water. Vice Chair Palen said that the wiring is above ground and Mr. Van Doorn said that there is a preference to not disturb the ground at this property due to the capped areas.

Judy Cowden, 4547 Jordan Rd, said that she was on the hamlet committee, the sentiment of the residents in the area had expressed their opinions about the area. Will the hamlet plan be considered for what should be done or not be done with this property. The idea of a solar installation never came up and was not discussed with the residents. The greenspace, wildlife and making use of the creek for recreational purposes even for a trail walking along the creek was something everyone would support. There is a lot of wildlife on the property that she can see from her house. The existing fence on the property does distract from the view and you would not know it was a remediated area without the fence. Will the hamlet plan be considered as there was a lot of work put into it and a lot of public involvement. Vice Chair Palen said that the question may be more appropriate for the Planning Board. Member Lee said that the determination this board does is not what the Planning Board reviews, and they would be the more appropriate board to direct the comments. Vice Chair Palen added that this board is reviewing the project regarding the rear yard setback and lot coverage request. Member Ketchum added that the rear yard setback for both of the solar systems is in the middle of the field.

Darlene Cashin, 4517 Jordan Rd, asked where the board is in the process for the project as yesterday was the first notification she had received. She understands that the owner wants to put this on their property, and it is a benefit to the town; however, will the residents have any opportunity to be heard on their views of the project. We saw this happen on Visions Drive where we came to the board meeting and said that they were not in support of the factory being proposed and the town dismissed it and had a quiet meeting , changed the zoning , and it happened anyway. Do we have a voice here or is it already a done deal. Vice Chair Palen explained that the application is still in process, and we do want to hear from the community. Counsel Molnar explained that the process of application submitted to the boards for approval is on their agendas monthly and these meetings are open to the public. When a public hearing is required, as it is for any variance request, the public can voice their comments. The town places public notice and also send copies of the notices to the contiguous neighbors. The applicant also requires a special permit from the Planning Board that will also be noticed. The Planning Board has scheduled a public information meeting for April 15, 2025 to hear from the community regarding the application, and at a future date they will also review and conclude SEQR and then have a public hearing. This will be an ongoing process with the public and the town encourages participation. Part of the review process to consider conditions to be placed on the proposal so that if it is approved it is appropriate within the community. Member Lee added that the documents that are part of the application are accessible to the public.

John Cashin, 4517 Jordan Rd, asked that if it is built and there is noise or if something fails what recourse is there. Counsel Molnar said that with the assumption that this is approved and built, with Planning Board approval, and a decommissioning plan, if there is a problem subsequent to that then the Planning Board would request that the codes enforcement officer review the onsite condition and determine whether or not it is in compliance with the Planning Board's special permit that approved the action.

Victor Duniec, 2870 West Lake Rd, stated that it is an LLC that owns the property and there is a bond for a remediation process if the thing goes into default. Is the bond amount going to be adequate to cover the cost. Counsel Molnar explained that the town has a method by which they put together a decommissioning plan that requires a bond with a sum sufficient to remove it all and restore it back to its original condition that is renewed annually or periodically. We do an economic analysis to determine the cost based on the potential time of decommissioning out for the 25 years. If the bond is not renewed then the town could claim the money.

Darlene Cashin, 4517 Jordan Rd, asked what the town's involvement is with the property. Counsel Molnar explained that a property owner can lease their property to anyone they want. SUNN 1017 LLC is the entity that is leasing the property. The town simply reacts to the property owner and is not the sponsor of the application. There is zoning code for solar arrays and a complex zoning code. The town does not invite it but regulates it for all our interests. Ms. Minas commented that the cooperation comes from the operation and maintenance agreement and the decommissioning plan. These are agreements in place that the town and the applicant develop together to ensure the ongoing maintenance of the 25-year life cycle of the project. Mrs. Cashin asked what other solar arrays near Skaneateles. Mr. VanDoorn said that there is one in the town of Manlius, Cazenovia, and Union Springs. Most of the arrays are in remote areas over landfills and that cannot be easily seen. Mrs. Cashin said that the solar installation on West Lake Road, all you could see was electric lines and trucks bringing mud onto the road. Those neighbors had to put up with that all summer long and asked if they would experience that as well. Mr. Van Doorn said that they are not doing any grading of the soil. If there is mud in the road then they are not respecting the regulations. The electrical lines for this project are the same as the lines for your house and it is not more dangerous than what is coming into your house. Mrs. Cashin asked if the construction would be loud, and Mr. Van Doorn said that they are not using driven posts, and they will be pouring the concrete ballasts on site with small equipment. Regarding the creek, they are not fencing the creek, and their project will not impact on any futures plans. The property owner would be part of the conversation for any walks or trails.

Andrew DeMarco, 4563/4535 Jordan Rd, said that he is not in favor of the solar panels. He thought the master plan was for a park or housing.

Nathan Card, 4440/4458 Jordan Rd, said that 18-20 years ago they talked about making it a green space or park. At that time, he was building a house there and asked what changed from there. He remembers spending a lot of time then creating a plan for the area. This is the total opposite of what was being discussed. Vice Chair Palen commented that the lot is not owned by the town.

Darlene Cashin, 4517 Jordan Rd, said that you can understand our confusion because in those conversations it made it sound like the town was in charge of the property. If you want a nature trail through there you must go through Stauffer Chemical and that was never made clear to any of us. Member Ketchum said that there was discussion about the trail connecting from the Charlie Major trail to the town line; however, the community was not completely in support of that idea, especially in the hamlets.

Susan Cooney, 4515/4519 Jordan Rd, said that there are hurdles for this project including approval of the variances from the Zoning Board of Appeals, Planning Board, and the DEC for lot 1. If for some reason lot 1 does not go, is the plan to scrap all of it or continue with the second solar array. The Jordan Road side has more obstacles because of the creek and the layout of the land. Mr. VanDoorn said that from Jordan Road there is quite a distance, and they are not touching most of that land. Ms. Cooney said except for that one small portion towards the bridge on Jordan. Mr. VanDoorn said that there are wells in that area and they are still monitoring the area. He continued saying that there is no reason both installations cannot occur. The DEC has standard practices for this type of site. New York state has decided that this type of site is ideal for solar installations as you cannot traditionally build parks or homes in the area. The DEC permits this use and does a lot of permits for these types of installations. Ms. Cooney asked if the solar arrays would be fenced in separate from the existing fence. Mr. VanDoorn said that their fences will surround the solar arrays inside of the existing fence. There will be screening along their fences, and they may be able to add screening for the existing fence if there is room. He continued saying that if there are issues that occur with the solar arrays they are responsible and welcome contact from a neighbor as they manage and control the site. They welcome bringing anyone to one of their existing sites to view it and hear it for themselves.

WHEREFORE, a motion was made by Member Ketchum and seconded by Member Kiefer to carry the Public Hearing over until the month and a day after the Planning Board has rendered their SEQR determination. The Board having been polled resulted in unanimous affirmation of said motion.

	<u>Record of Vote</u>	
Chair	Denise Rhoads	Present [Yes] (Via Zoom)
Vice Chair	David Palen	Present [Yes]
Member	Kris Kiefer	Present [Yes]
Member	Dave Lee	Present [Yes]
Member	Sherill Ketchum	Present [Yes]

Discussion

The next ZBA meeting will be held on May 6, 2025, at 7:00 pm.

The next P&Z Staff meeting will be held on April 17, 2025, at 6:30pm. Zoom only.

There being no further Board business, a motion was made by Member Lee and seconded by Member Kiefer to adjourn the meeting. The Zoning Board of Appeals meeting adjourned at 8:24 pm.

Respectfully Submitted,

Aimie Case	&	Karen Barkdull
ZBA Clerk		Planning & Zoning Clerk

Meeting Attendees:

Robert Eggleston, Eggleston & Krenzer Architects, PC	Darlene Chain
Andrew VanDoorn, President, Abundant Solar Inc.	John Cashin
Matt McGregor, Sr. Director, Abundant Solar Inc.	Bryan Dunbar
Rebecca Minas, Sr. Engineer, Barton & Loguidice, D.P.C.	Lori Blewett
Mathew Kitts	Kathleen Dec
Janet Calipari	Susan Cooney
Vic Duniec	Anthony DeMarco
Judith Cowden	Nathan Card

Meeting Attendees Via Zoom:

Denise Rhoads, ZBA Chair	Heat
Julie Stenger, Town Clerk	MH
Councilor Mark Tucker	Samsung SM59180
Christine Buff	