

Town Board Meeting

April 17, 2023

5:30 p.m.

Zoom: Meeting ID: 850 6746 5560 Passcode: 741229

Present: Supervisor Aaron, Councilor Alexander, Councilor Tucker, Councilor Legg, Councilor Dove, Attorney Smith.

Present via Zoom: Councilor Tucker

Executive Session – Contract Negotiations: On a motion of Councilor Legg, seconded by Councilor Dove and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned to attorney advice at 5:30 p.m.

On a motion of Councilor Legg, seconded by Councilor Alexander the meeting returned to open session at 6:15 p.m.

Also, Present: Dick Eldredge, Allan Wellington, Edward Bryant, Keri Fey.

Also, Present (via Zoom): Paula Powell, Brian Buff, Sue Murphy, Jason Gabak (Skaneateles Press), Aimie Case, Michael Major, Lori Milne, Chris Buff, Tim Dobrovosky, Marty Cregg, Karen Barkdull.

Minutes April 3, 2023: On a motion of Councilor Legg, seconded by Councilor Dove, Councilor Alexander abstained due to absence, and with a (4-0) affirmation of the Town Board, the minutes of April 3, 2023, were accepted as presented.

Budget Amendments: No Budget Amendments

Abstract #23-05: On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board vouchers #22-0266 - #22-0355 were authorized from the following funds:

General Fund:	\$ 39,872.91	Highway:	\$ 10,761.35
Water:	\$ 10,206.23	Part Town:	\$ 12,744.97
T&A:	\$ 1,397.00	Highway PT:	\$ 3,578.39
Sewer:	\$ 1,039.58		

TOTAL: \$ 79,600.43

RFP for Geotechnical Investigation Services – Austin Pavilion Project: Supervisor Aaron stated on behalf of the Town of Skaneateles King & King Architects had sent out Requests for proposals for a Subsurface Investigation and Geotechnical Evaluation Report for the proposed Austin Pavilion renovations. 3 proposals were submitted:

Kenney Geotechnical Engineering Services, PLLC	\$ 9,594.00
Atlantic Testing Laboratories	\$17,720.00

CME Associates, Inc

\$\$12,678.75

Supervisor Aaron explained this geotechnical testing would be to test the area for the proposed Austin Pavilion storage bins, tennis courts and pickleball courts for Phase I of the project and for Phase II it would be testing the area for the restrooms at the Pavilion.

King & King Architects recommended the Town approve the low bid from Kenney Geotechnical Services for a cost of \$9,594.00.

Councilor Legg stated this testing is to know what the subsoils are, and we can ensure drainage is in place so there would be no issues with erosion.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board, the Board approved the quote submitted by Kenney Geotechnical Engineering Services, PLLC for \$9,594.00.

Austin Park Project SEQR Review: Supervisor Aaron stated the Austin Park Project plan is being submitted to the Village Planning Board for their review. Part of the documentation that needed to be submitted with the application is the Short Environmental Assessment Form Part I. This is for Phase 1 & 2.

Attorney Smith stated the EAF is divided into three parts. This is part I which is prepared by the applicant. This Part I of the EAF was prepared by the design professions describing the potential impacts of the project. This would be submitted to the Village Planning Board for their evaluation.

Attorney Smith reviewed the form and stated the rough area of disturbance would be less than an acre of land. There is no anticipated increase in traffic. This area is already developed so there would be no wetlands or forest disturbances.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board, the Board authorized the Supervisor to sign Part I of the Environmental Impact Statement and present to the Village Planning Board for the Austin Park Project Phase I as presented.

CNY Land Trust O'Neill Property Acquisition: Supervisor Aaron stated at the last Town Board meeting the Town had received a proposal from the CNY Land Trust to obtain the O'Neill property, 144-acre parcel located between Route 41a and County Line Road. This is an essential parcel to preserve from development to protect the watershed and Skaneateles Lake.

At the April 3rd Town Board meeting the Board voted to support this acquisition. But Supervisor Aaron and Sue Dove wanted to meet with the CNY Land Trust to discuss the future uses of this property since this parcel is currently farmed could there be options for farming to continue.

Supervisor Aaron stated she and Councilor Dove advocated for allowing farming to continue on this parcel. Mr. Solomon indicated that normally they obtain properties that are mostly meadows and have some type of trees, etc. on the property. This is a 144-acre parcel that is wide open

because of years of farming. While the Land Trust preferred parcels converted to meadows and pathways, they can see that farming could be a possibility. They work from a very limited budget and the possibility of receiving revenue from the farmer could be an incentive to allow farming to continue. He said that it is important to realize that that, if farming is allowed, they may not have the same farmer work the property, they would have to seek bids. If farming is allowed to continue, they would have to obtain the most value will still requiring that they follow Best Farm Management Practices. Mr. Solomon has to have his Board of Directors agree to this plus NYSDEC has to agree as well. This may be difficult to get both to agree.

Councilor Dove stated she was pleased with the meeting with the CNY Land Trust. They had answered all her questions and were willing to explore the option of agriculture. She also asked about the tax impact and the tax loss would only be \$1352, this is not much money for the benefit the Town would get. The property had been on the market for a number of years and had not sold, this would keep this property from development.

Supervisor Aaron stated in order for the CNY Land Trust to move forward they would need support from the Town. Supervisor Aaron had drafted a letter of support for the Board to review. They are also asking for monetary support in the amount of \$23,275. Councilor Tucker indicated the Open Space Committee was in favor of this support. This land acquisition would protect Skaneateles Lake and the watershed.

Supervisor Aaron stated this funding would not come from tax dollars; it is from funding of the Land Development Rights Fund. This is funded by people whose proposed projects on their property that do not meet the impermeable surface coverage. They pay into this fund so open space can be obtained by the Town.

On a motion of Councilor Legg, seconded by Councilor Alexander and with unanimous (5-0) affirmation of the Town Board, the Board approved the letter of support to the CNY Land Trust and the funding of \$23,275 to acquire the 144-acre O'Neil property, tax map #048-01-39.0 as presented.

Conservation Committee Update: Councilor Alexander stated the Conservation Committee had been able to have workdays at the Conservation Areas early this year. Matt Leveroni, Conservation Committee Chair, updated the Board on the Conservation Areas and some of the maintenance and repairs that they are planning. He showed photos of the O'Loughlin Parking Lot Observation Deck, showing the rotten wood planks. They would be planning to replace the rotten boards to increase structural safety, cut shrubs in front of the platform and the lot would be checked regularly for litter. At the O'Loughlin area parking lot picnic area, the bridge leading to the picnic table is missing boards and these boards would be replaced with larch boards.

Mr. Leveroni discussed the bridge, which was built by Scout Troop 61. This bridge had missing planks and needed to be raised to match the height of the stream bridge. They would replace this material with pressure-treated, 3' long boards. He reviewed the main connector bridge on trail-A0. There were missing boards but otherwise it was in safe and good condition.

Mr. Leveroni stated the Committee's overall objectives were to assess each issue individually and plan to address each. They would recruit adequate help as soon as possible, and to improve safety and aesthetic detail.

Supervisor Aaron thanked Mr. Leveroni and the Conservation Committee for all they had done. Their work and commitment were very impressive. These areas are so important to the community. The Board will do their best to get volunteers to help with these projects.

Councilor Alexander discussed the proposed stair project at Guppy Falls. The cost was much more than the committee had anticipated and they would like to move the funding for the stairs to these other projects. The committee assessed the stairs, and they would like to get a plan for a different set of stairs that would be less expensive and go out to bid again. There are other options for another parking area as well. The committee had decided to repair the current stairs for this season.

Supervisor Aaron stated the committee should make a recommendation to the Board to allocate the money for these projects.

Councilor Alexander stated they are working on getting the word for people to make donations to help maintain the Conservation Areas.

The Board thanked Matt 'Leveroni and all the members of the Conservation Committee for all their work.

7:00 p.m. Public Hearing –Establishment of Skaneateles Water District number 6 and the Acquisition, Construction, and installation of Water System Improvements”: Supervisor Aaron reviewed the background of the Andrews Road water extension. Supervisor Aaron stated completing this district and adding the water tower was on the top of the list of things to accomplish before she left office. Supervisor Aaron stated she is now in the final months of her last term, and she is thankful for the progress that has been made. In 2013 the Town received a letter from the Onondaga County Health Department stating our water system was deficient in meeting the water and fire flow requirements. At the same time residents of Andrews Road and County Line Road submitted letters requesting water for their homes. These residents reported the shortage of water in their wells, and they had to truck in water to meet their daily needs. Since 2015 the Town had tried to do both of these projects. Water is not funded by taxpayers but by the rates the water customers pay, the total cost far exceeded what the water customers could bear and what the comptroller allowed for new water customers. That was until 2022 when the Town obtained a \$4,423,500 grant through NYS WIIA program. Now we have the opportunity to meet the needs of the Onondaga County Health Departments and to provide safe drinking water for residents of our community. The estimated total cost of the improvements is \$7,350,000, the annual cost for an existing water customer would be \$151 per year, for a new water customer the cost would be \$500 per year plus the cost of water provided. We are hopeful the Town will receive additional funding to reduce these costs. On March 20th the Town Board scheduled the public hearing for tonight, April 17, 2023, to consider this water district. C&S Engineers provided a map, plan and report providing the cost of this district and the district boundaries. The water tower would be located on Andrews Road and this improvement would meet the needs that in 2013 the

County Health Department said we needed. This would allow for more economic development on the west side of the Town.

Supervisor Aaron stated the Town Clerk had advertised and published the notice for the Public Hearing.

On a motion of Councilor Dove, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the public hearing was opened.

Supervisor Aaron asked if anyone would like to comment either for, against or have any comment at all.

Marty Cregg, Andrews Road: Mr. Cregg stated he had been an advocate for this project since the beginning. He has a home and a farm on Andrews Road and their wells do not supply an adequate water supply. He has to truck in water four to five days a week, 1500 gallons at a time, which he purchases from the Village of Skaneateles, in order to run the farm. This is a real need to keep the property agricultural. We support the Town in how to get water to this district.

Allan Wellington, Andrews Road: Mr. Wellington stated he is in support of this water district. He and his family have to truck in water two to three times a week to have water to run their household.

Edward Bryant, Andrews Road: Mr. Bryant said he is a landowner on Andrews and County Line Roads. He owns 50 acres. He stated to the Board he was asked a few years ago if he wanted to be a part of this water district and he thought there was a lot of time before it would happen, so he had time to decide. He asked if he had a choice to be part of the district? He does not want to stop the district he just is not sure if he wanted his property to be within the district. He owns 50 acres on the east corner of Andrews and County Line Road. He asked since he wanted to keep his property Agricultural should he keep it out of the district, currently it is all vacant land. He asked if he would have to sign an easement with the Town for the water main.

Supervisor Aaron stated no, it would be in the Town's right-of-way.

Mr. Bryant asked if he had the option to keep his property out of the district. Attorney Smith stated that in the way the map is currently drawn, Mr. Bryant's parcel is within the district. The cost would be distributed to each property within the district. Your parcels would be considered ½ an EDU since it is vacant agriculture land, which would be approximately \$500 per year.

Mr. Bryant stated his house is on the south side of Andrews with an additional 60 acres. There is a small strip according to the map that would be in the district as well. Was it correct that if he wanted the water to his house, he would have to pay to pipe it to the house. Attorney Smith stated yes, he would be responsible for running the lateral pipes to his home. The cost that was in the proposal stated this included the hook up at the house.

Attorney Smith explained property owners within the district do not have to connect to the water.

The Board reviewed the location of Mr. Bryant's property and the location of the water main.

Mr. Bryant stated he did not need the water. Attorney Smith stated Mr. Bryant did not have to hook up to the water but with his property being with in the district the vacant agricultural parcel would have to pay for ½ an EDU for the finance fees in the district. The good news for Mr. Bryant is that his property would be worth more.

Mr. Bryant asked if he kept his property out of the district, would it still be worth more if it could be added later.

Attorney Smith stated it would not be able to be added later. This is why the district is being formed the way they have mapped it out.

Mr. Bryant asked if it would affect his agricultural tax exemptions. Supervisor Aaron stated no, it would not affect his exemption.

Attorney Smith asked Mr. Bryant if this was a good thing or bad thing for him. Mr. Bryant said he did not know, he questioned how much more his property would be worth. Mr. Bryant asked if his assessment would increase.

Attorney Smith stated as long as he continued to use his property for agriculture it should not increase his assessment. If he took it out of his agricultural exemption, then the taxes could increase.

Mr. Bryant stated he was not against the water line he just did not think he needed it right now and it would be expensive.

No other comments.

On a motion of Councilor Dove, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the public hearing was closed.

Councilor Alexander asked if the Town moved forward with the district how does this work for the funding if there are property owners who do not hook up to the water. Supervisor Aaron stated the property owner would still pay for the financing cost of the district.

Supervisor Aaron reviewed the flow chart provided by Attorney Smith. The Town Board had completed the following item to form the district:

- Town Board made the decision to form the district or extension.
- The Town Board approved a Resolution to appropriate funds for the preparation of the Map, Plan and Report subject to permissive referendum.
- Town Board authorized the Engineer to proceed with Map, Plan, and report.
- Engineer prepares draft Map, Plan and Report
- Engineer completed final Map, Plan and Report
- Scheduled and noticed the Public Hearing
- Held Public Hearing

Attorney Smith stated if the Board would like to continue the formation of this district, he would work with Engineer John Camp and prepare the SEQRA documents to be completed at the May 1, 2023, Town Board meeting.

Attorney Smith would also prepare a resolution for the next meeting to adopt establishing the district, subject to permissive referendum. The Board would wait the 30-days and if there is no permissive referendum at the following Town Board meeting the Board could adopt a resolution to formally create the district.

Supervisor Aaron stated that in the meantime they could consider bond counsel for this project. Attorney Smith said the Board could vote to bond and did not need a public hearing to bond. Supervisor Aaron stated the Board would do SEQRA but it would not be till after June 1st the Board could move forward.

Councilor Alexander stated she had heard from other residents on Andrews Road, and they are all in favor of this p[roject].

Supervisor Aaron stated the Town is still looking for funding. They have applied for 2 additional grants that we hope are successful. They have also submitted a letter to the Village and are waiting for their response. We are all hopeful there will be additional funding from these grants. Supervisor Aaron stated the Grant they received is the largest grant the Town had ever received to provide public water to those who desperately need it and a big part of this project is the water tower. This water tower is needed to upgrade the entire system to meet the required fire flow.

Supervisor Aaron stated this would be on the next agenda for the next steps and thanked everyone for their comments.

GPR Quotes – Cemeteries: Supervisor Aaron reported Cemetery Superintendent Dick Eldredge had presented the Board with 4 quotes for a Ground Penetrating Radar System. Mr. Eldredge had this funding in the 2023 Budget.

Supervisor Aaron stated Mottville and Sheppard Settlement cemeteries were rural cemeteries that were taken over by the Town years ago. Over the years they had pieced together the graves and locations of burials.

Mr. Eldredge stated this system would be a great help to verify the graves and locations of the stones. These cemeteries are so old that the stones had been moved. This equipment will help verify the sites that are empty.

The following quotes were submitted:

Easy Radar USA, LLC	\$ 5,869
eBay(used)	\$14,500
USRADAR, Inc	\$14,000
GSSI	\$16,960

Mr. Eldredge reported he had contacted a company to come and survey the cemeteries and the starting price was \$5,000. He had the time since he was retired to do the surveying and if they purchased the equipment, it could be used in the future.

Supervisor Aaron asked if they could share this equipment with the Village. Mr. Eldgered stated the Village had contracted the surveying out.

The Board asked why such a difference in the price of the unit from Easy Radar USA, LLC. Mr. Eldgered answered the more expensive units are commercial units that can go down 30-50 feet and through concrete. The unit from Easy Radar would go down 12 feet and that is all he would need. Mr. Eldredge recommended the Board approve the purchase of the unit from Easy Radar.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board, the Town Board authorized the purchase of a Ground Penetrating Radar System for the Town of Skaneateles Cemeteries at a cost not to exceed \$6,000.

Resolution in Opposition to Governor Hochul’s “New York Housing Compact” : Supervisor Aaron reported there had been concerns about Governor Hochul’s New York Housing Compact. This would allow the State to override Town zoning if the Town did not meet certain requirements for affordable housing units. Towns feel the State did not know the needs of the Towns and are not in favor of this.

Supervisor Aaron stated she would like the board to consider approving the following resolution:

**RESOLUTION OF THE TOWN BOARD
Of The Town of Skaneateles
RESOLUTION IN OBJECTION TO GOVERNOR HOCHUL'S "NEW YORK
HOUSING COMPACT" PROPOSAL**

The following Resolution was moved by Councilor Alexander,
seconded by Councilor Legg

WHEREAS, Governor Hochul's FY 2024 Executive Budget includes the "New York Housing Compact"; and

WHEREAS, the "New York Housing Compact" contains the "New Homes Targets and Fast- Track Approval Act"; and

WHEREAS, the aforementioned bills are Article 7 bills wrongly included in the NYS 2023/2024 budget, which due to their inclusion as such, eliminates proper legislative process that will make for better legislation; and

WHEREAS, the housing issues outlined in the bill are not of statewide concern and are focused on New York City and the surrounding suburbs and do not meet the level allowing the State to overrule Home Rule Law of zoning regulations; and

WHEREAS, the Governor claims that the "New Homes Targets and Fast-Track Approval Act" is necessary in order to forestall restrictive land use practices that inhibit and limit housing development; and

WHEREAS, as proposed the "New Homes Targets and Fast-Track Approval Act" amends General Municipal Law and will override Town land use regulations as adopted in town zoning codes and potentially disregard town Comprehensive Plans; and

WHEREAS, the "New Homes Targets and Fast-Track Approval Act" requires towns to

meet or exceed a Residential Dwelling Growth Target or enact by local law two of five "preferred actions" in order to be considered in "Safe Harbor" status; and

WHEREAS, except for Accessory Apartments/Accessory Dwelling Units, the majority of the "preferred actions" require extreme and substantial amendments to local zoning including but not limited to, no restrictions on minimum lot size, height limits, setbacks, parking and no environmental review, planning board review and aesthetic review; and

WHEREAS, appeals under the Housing Compact by Developers or Builders whose applications for creation of housing are denied by a town, will be brought to a new "State Housing Review Board" usurping the Home Rule authority of local land use boards who better understand the local community; and

WHEREAS, the proposed amendments would require new local zoning to be exempt from SEQRA review which would prohibit the study and evaluation of impacts on traffic and roads, impacts on stormwater, impacts due to building on steep slopes, impacts on volunteer emergency services, impacts on police department staffing, impacts of additional school age students and the schools ability to absorb them, increase for the necessity of additional sidewalks and mobility connectivity and all standard evaluation criteria typically provided in a generic environmental impact statement; and

WHEREAS, local zoning laws and land use laws are in place to address matters of public safety and health, which include police, fire protection, public works, density, traffic, school capacities, parks, and recreation and more, all of which local officials are intimately familiar and best suited to access and determine; and

WHEREAS, the State historically and consistently fights wrongful interference by the Federal Government in matters which fall under State Rights (Federalism), this State Budget Housing Compact wrongfully interferes in zoning and land use matters which belong to the Local Governments under the NYS Constitution; and

WHEREAS, the proposed amendments to Town law would prohibit Municipalities from adopting reasonable and appropriate development regulations to ensure the development is compatible with the surrounding uses, such as lot coverage, open space, building height, setbacks, floor area ratios or parking requirements; and

WHEREAS, this Board is not opposed to the general goal of creating more affordable or below market rate housing, especially where independent and reliable data establishes such a need, but cannot condone State interference in zoning and land use issues; and

WHEREAS, the residents of this Town have had a voice and participated in land use decisions for decades, from creating and updating of the Town's Comprehensive Plan, participating in public hearings and volunteering on Town Boards and Committees; and

WHEREAS, if the Governor's Housing Compact is passed as is, or with negotiated changes that still infringe on a Town's ability to oversee and enforce its zoning and land use laws,

the residents of our Town will be disenfranchised from their local elected officials, local volunteer Boards and render all of the residents' input meaningless; and

NOW THEREFORE BE IT RESOLVED, that this Town implores the Legislature to permanently remove the Housing Compact proposal from the FY 2023/2024 Budget, and future budgets, and engage Local Governments in dialogue and address our common goals; and be it further

RESOLVED, that bills of this type be removed from the budget as an "Article 7" bill and follow the regular legislative process which will produce better legislation; and be it further

RESOLVED, that NYS Environmental laws including SEQRA and a municipality's Home Rule of zoning as defined in the NYS Constitution and General Municipal Law should not be limited by any legislation unless that legislation is truly of Statewide concern; and be it further

RESOLVED that this Town opposes the Governor's Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers.

Councilor Alexander commented that the State also had legislation regarding solar farms. Solar Farms of a certain size are no longer regulated by the Town but regulated by the State. The State does not know what is in the best interest of the Town and it would be a tragedy if this was passed by the State of New York.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board, the Town Board approved the Resolution in Objection to Governor Hochul's "New York Housing Compact" Proposal. As presented.

Announcements/Correspondence/Updates

- *2022 Skaneateles Lake Watershed Annual Report*: Supervisor Aaron announced the Board had received the 2022 Skaneateles Lake Watershed Annual Report. The report will be posted on the Town Website.
- *Assemblyman Lemondes Town Hall Meeting – May 4, 2023*: Supervisor Aaron announced there would be a Town Hall meeting with New York State Assemblyman Lemondes on May 4, 2023, at the Skaneateles Fire Department. This meeting would be to discuss the proposed Occupancy Tax. Councilor Alexander explained this is a room tax on hotels, motels, B&Bs and short-term rentals. The taxes collected would be to benefit the residents of our community. If people are not able to attend the meeting, they could send their comments to the Town Clerk.
- *Transfer Station Shred Event – April 22, 2023, 9:00 a.m. -12 noon*: Councilor Legg announced there would be document shredding event at the Transfer Station on April 22, 2023, at the Transfer Station from 9:00 a.m. – 12:00 p.m.
- *Swap Shop Opening – April 22, 2023*: Councilor Legg announced the Swap Shop would reopen for the season on April 22, 2023, weather permitting.
- *Charlie Major Nature Trail – Earth Day April 22, 2023*: Councilor Legg announced Skaneateles Sunrise Rotary would be holding an Earth Day cleanup at the Charlie Major Nature Trail on April 22, 2023.

Councilor Tucker announced there would be a Shoreline Committee meeting April 20, 2023, to continue their review of the Shoreline Regulations.

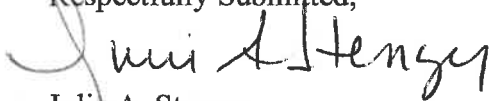
Public Comment:

On a motion of Councilor Dove, seconded by Councilor Alexander and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned to attorney advice at 8:07 p.m.

On a motion of Councilor Dove, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board the meeting returned to open session at 9:15 p.m.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned at 8:15 p.m.

Respectfully Submitted,



Julie A. Stenger
Town Clerk

Notice of Public Hearing
**Regarding the Establishment of Skaneateles Water District Number 6 and the Acquisition,
Construction and Installation of Water System Improvements**

NOTICE IS HEREBY GIVEN that a public hearing shall be held by the Town Board of the Town of Skaneateles at 7:00 p.m. on April 17, 2023 regarding the Establishment of Skaneateles Water District Number 6 and the Acquisition, Construction and Installation of Water System Improvements.

A copy of the Map, Plan and Report and related materials is available for review at the Town Clerk's Office of the Town of Skaneateles, 24 Jordan Street, Skaneateles, New York or at www.townofskaneateles.com. An opportunity to be heard in regard to this proposed Water District and the Acquisition, Construction and Installation of Water System Improvements will be given at the hearing to those favoring or opposing the same, as well as any comments. Communication in writing in relation thereto may be filed with the Town Board or at such hearing.

Said Hearing will be held on **Monday, April 17, 2023 at 7:00 pm** in person at the Skaneateles Town Hall, 24 Jordan Street, Skaneateles, NY 13152 and via Zoom at <https://us02web.zoom.us/j/85067465560> Meeting ID: 850 6746 5560 Passcode: 741229 or dial by your location +1 646 876 9923 US (New York). At that time, all persons will be heard or have an opportunity to provide written comment.

Dated: Skaneateles, New York
March 21, 2023

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ELIZABETHTOWN NY 12932
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**Notice of Public
Hearing
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[zoom.us/j/85067465560](https://us02web-zoom.us/j/85067465560)
Meeting ID: 850 6746 5560 Passcode: 741229 or dial by your location +1 646 876 9923 US (New York). At that time, all persons will be heard or have an opportunity to provide written comment.

Dated: Skaneateles,
New York
March 21, 2023
PO-308043

**RESOLUTION OF THE TOWN BOARD
Of The Town of Skaneateles**

**RESOLUTION IN OBJECTION TO GOVERNOR HOCHUL'S "NEW YORK HOUSING
COMPACT" PROPOSAL**

The following Resolution was moved by Councilor Alexander, seconded by Councilor Legg

WHEREAS, Governor Hochul's FY 2024 Executive Budget includes the "New York Housing Compact"; and

WHEREAS, the "New York Housing Compact" contains the "New Homes Targets and Fast-Track Approval Act"; and

WHEREAS, the aforementioned bills are Article 7 bills wrongly included in the NYS 2023/2024 budget, which due to their inclusion as such, eliminates proper legislative process that will make for better legislation; and

WHEREAS, the housing issues outlined in the bill are not of statewide concern and are focused on New York City and the surrounding suburbs and do not meet the level allowing the State to overrule Home Rule Law of zoning regulations; and

WHEREAS, the Governor claims that the "New Homes Targets and Fast-Track Approval Act" is necessary in order to forestall restrictive land use practices that inhibit and limit housing development; and

WHEREAS, as proposed the "New Homes Targets and Fast-Track Approval Act" amends General Municipal Law and will override Town land use regulations as adopted in town zoning codes and potentially disregard town Comprehensive Plans; and

WHEREAS, the "New Homes Targets and Fast-Track Approval Act" requires towns to meet or exceed a Residential Dwelling Growth Target or enact by local law two of five "preferred actions" in order to be considered in "Safe Harbor" status; and

WHEREAS, except for Accessory Apartments/Accessory Dwelling Units, the majority of the "preferred actions" require extreme and substantial amendments to local zoning including but not limited to, no restrictions on minimum lot size, height limits, setbacks, parking and no environmental review, planning board review and aesthetic review; and

WHEREAS, appeals under the Housing Compact by Developers or Builders whose applications for creation of housing are denied by a town, will be brought to a new "State Housing Review Board" usurping the Home Rule authority of local land use boards who better understand the local community; and

WHEREAS, the proposed amendments would require new local zoning to be exempt from SEQRA review which would prohibit the study and evaluation of impacts on traffic and roads, impacts on stormwater, impacts due to building on steep slopes, impacts on volunteer emergency services, impacts on police department staffing, impacts of additional school age students and the schools ability to absorb them, increase for the necessity of additional sidewalks and mobility connectivity and all standard evaluation criteria typically provided in a generic environmental impact statement; and

WHEREAS, local zoning laws and land use laws are in place to address matters of public safety and health, which include police, fire protection, public works, density, traffic, school capacities, parks and recreation and more, all of which local officials are intimately familiar and best suited to access and determine; and

WHEREAS, the State historically and consistently fights wrongful interference by the Federal Government in matters which fall under State Rights (Federalism), this State Budget Housing Compact wrongfully interferes in zoning and land use matters which belong to the Local Governments under the NYS Constitution; and

WHEREAS, the proposed amendments to Town law would prohibit Municipalities from adopting reasonable and appropriate development regulations to insure the development is compatible with the surrounding uses, such as lot coverage, open space, building height, setbacks, floor area ratios or parking requirements; and

WHEREAS, this Board is not opposed to the general goal of creating more affordable or below market rate housing, especially where independent and reliable data establishes such a need, but cannot condone State interference in zoning and land use issues; and

WHEREAS, the residents of this Town have had a voice and participated in land use decisions for decades, from creating and updating of the Town's Comprehensive Plan, participating in public hearings and volunteering on Town Boards and Committees; and

WHEREAS, if the Governor's Housing Compact is passed as is, or with negotiated changes that still infringe on a Town's ability to oversee and enforce its zoning and land use laws, the residents of our Town will be disenfranchised from their local elected officials, local volunteer Boards and render all of the residents' input meaningless; and

NOW THEREFORE BE IT RESOLVED, that this Town implores the Legislature to permanently remove the Housing Compact proposal from the FY 2023/2024 Budget, and future budgets, and engage Local Governments in dialogue and address our common goals; and be it further

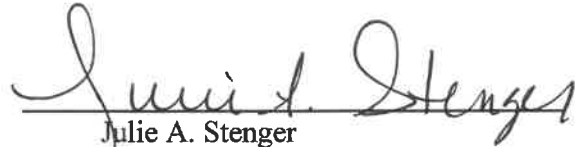
RESOLVED, that bills of this type be removed from the budget as an "Article 7" bill and follow the regular legislative process which will produce better legislation; and be it further

RESOLVED, that NYS Environmental laws including SEQRA and a municipality's Home Rule of zoning as defined in the NYS Constitution and General Municipal Law should not be limited by any legislation unless that legislation is truly of Statewide concern; and be it further

RESOLVED that this Town opposes the Governor's Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers.

I hereby certify that the foregoing copy of resolution was unanimously adopted by the Town Board of the Town of Skaneateles at a Regular Meeting held on April 17, 2024, 2023.

Dated: April 17, 2023


Julie A. Stenger
Town Clerk

cc:

Senator Rachel May

Assemblyman John Lemondes