

**TOWN OF SKANEATELES PLANNING BOARD  
MEETING MINUTES  
January 20, 2015**

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

Chairman Tucker opened the meeting at 7:30 p.m. The meeting minutes of December 16, 2014 were previously distributed to the Board and all Members present acknowledged receipt of those minutes.

**WHEREFORE**, a motion was made by Member Southern and seconded by Member Kasper to approve the minutes as submitted. The Board having been polled resulted in the unanimous affirmance of said motion.

**RECORD OF VOTE**

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

**Public Hearing-Special Permit**

Applicant:	Last Shot Distillery/Chris Uyehara	Property:
	John Menapace	
	2487 East Lake Rd	4022 Mill Road
	Skaneateles, NY	Skaneateles, NY 13152
		<b>Tax Map #027.-01-47.1</b>

Present: John Menapace, Chris Uyehara, Kate Menapace, Applicants

No one requested to have the public notice read. The Board has visited the site on January 3, 2015. A sketch plan reflecting proposed parking expansion potential of 25 parking spots in addition to the existing 19 spaces was submitted. The proposal is for a portion of the building used for Last Shot Distillery with 600SF of floor space dedicated to an office and tasting room and 2500SF of space on the lower level for production and warehouse. Chairman Tucker commented that a letter from the water department was received. The highway superintendent submitted a letter dated January 14, 2015 stating that the proposed water usage for the property will have no negative impact on the Town water system. Mr. Menapace commented that Alan

stated that they need more customers on that water line as the pressure has been hard to maintain with the closing of Welch Allyn in Skaneateles Falls and Clear Edge Filtration.

Chairman Tucker inquired on the hours of operation. Mr. Menapace stated that the hours would be Fridays from 2 pm to 8 pm; Saturdays 11 am to 7 pm; and Sundays Noon to 4 pm. Member Kasper inquired if there was parking lot lighting. Mr. Menapace stated that there is existing lighting in the areas. Chairman Tucker inquired if the existing lighting is night sky compliant. Mr. Menapace stated that it is not, however he is intending to make the light night sky compliant.

Chairman Tucker inquired if there is sufficient parking for Friday afternoons when the Nature's Chemistry and the Distillery will be open simultaneously. Mr. Menapace stated that Nature's Chemistry utilizes eight parking spaces currently and that a site plan has been created to show potential parking development if there proves to be insufficient parking. Mr. Brodsky inquired on the future parking areas that are marked in red as the site plan shows that it is vegetation. Mr. Menapace stated that the future parking areas are actually gravel that is tree canopied. Mr. Camp inquired if the areas will be marked or painted to indicate parking spaces. Mr. Menapace stated that the area would be marked; however, he did not feel that the demand would be there in the beginning. Mr. Brodsky stated that the calculations of impervious surface might be incorrect and not include these areas. Mr. Menapace stated that eventually he would like to remove some of the concrete slabs on the property and that would offset any new parking areas created. Mr. Brodsky stated that the site plan reflects 45% impervious surface, which is nonconforming for the RR district. Mr. Menapace stated that if the business requires additional parking then they would remove some other concrete and come back to the board for an amendment. Mr. Menapace stated that boats are parked there now in the gravel area.

Ms. Menapace inquired on the number of additional parking areas the board would like to see for the type of business that is being considered. Mr. Menapace stated that the tasting room is 600SF and limits the number of people that can be there at one time, which would only be a maximum of ten cars. Member Kasper inquired if the business would be seasonal. Mr. Uyehara stated that business would have more volume in the summer months. Mr. Brodsky stated that it is very critical that the employees and customers do not park in the right-of-way, but park on the property. Member Kasper recommended that the first site plan dated November 7, 2014 be used with the board monitoring the parking. He continued stated that he has a concern with the parking expansion closed to the bank of the stream. Mr. Menapace stated that the parking area would be away from the stream as there is a grassy area that some employees use as a picnic area now. Member Kasper stated that there are 19 parking spaces existing. Chairman Tucker stated that the parking is adequate for now.

**WHEREFORE**, a motion was made by Member Southern and seconded by Member Kasper to determine this application to be a Type I Unlisted action with Negative Declaration, after a comprehensive review of the Full Environmental Assessment Form. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. Connie Brace, 15 Kane Avenue, stated that the proposed distillery ties in with the redevelopment plans of the northern hamlets proposed in the draft comprehensive plan and will be a great opportunity for us to reinvigorate the area. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. A letter of support from the Chamber of Commerce was received dated January 16, 2015.

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

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

1. That the Special Permit shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. That the Site Plan L1 dated November 7, 2014 prepared by Salvins Strods, Licensed Architect, **reflecting existing parking only** be followed in all respects; and
3. That the Detail Plans 1 of 3 through 3 of 3 dated January 20, 2015 and narrative 1 of 3 through 3 of 3 dated January 20, 2015 prepared by John Menapace (the “Plans”) be followed in all respects; and
4. That the approval is subject to the stated times of business for retail sales of distilled spirits being limited to Fridays between 2 pm and 8 pm; Saturdays between 11 am and 7 pm; and Sundays between 12 noon to 4 pm; and
5. That all exterior lighting installed per the Plans be “night sky” compliant; and
6. That parking shall be monitored for compliance to the number of spaces limited on the Plans, and if any additional parking spaces are needed or required at the project site, that the Applicant will make application and receive approval from the Planning Board for an amendment to the approved Plans; and
7. All licenses required by the Applicant for operation of a distillery on site are obtained from any and all required jurisdictions having authority, prior to commencement of distillery operations and retail sales on site.

**Public Hearing-Special Permit/Site Plan Review/Merger**

Applicant: Barbara Delmonico  
2430/2432 Wave Way  
Skaneateles, NY 13152  
**Tax Map #056.-02-40.2; 056.-02-47.0; & 054.-04-41.1**

Present: Barbara Delmonico, Applicant; Robert Eggleston, Architect

No one requested to have the public notice read. The Board has visited the site on January 3, 2015. The City of Syracuse Department of Water is deferring comment pending the issuance of an onsite wastewater treatment system design approval by the OCDOH in their correspondence dated December 15, 2014. The proposed septic system design is pending approval by the OCDOH.

The applicant has three separate lots that will be merged into one, with the removal of a 3,500SF dwelling, construction of a 600SF-detached garage with studio above, and reducing impervious coverage on the lot. By joining the three lots, the newly created lot will be in excess of 35,000SF and more typical of the lots in the area. Impervious coverage will be reduced by 2100SF or 7.9%; open space will be increased by 2460SF or 6.9%. The total living space will be reduced by 2260SF or 6.4%; building footprint will be reduced by 1320SF or 3.7%; and six bedrooms will be reduced to four bedrooms. A new four bedroom septic system is being designed that will be located more than 200' from the lake line that will replace the three bedroom septic system located 50' from the lake line. The impermeable surface coverage is being reduced from 24.8% to 18.7% and the applicant is willing to contribute \$7122.64 to the Town's LDRAF fund.

Member Kasper inquired what had changed with the site plan dated January 6, 2015 that was submitted. Mr. Eggleston stated that the change was highlighting the areas where impervious surface is being removed. Also included are minor updates to address the neighbor's concerns. Alternative locations have been considered, but they are problematic in terms of being able to back in a boat for storage. The proposal allows for more open space next to the tight 10' driveway allowing for better visibility for emergency vehicles.

Chairman Tucker stated that one of the board concerns was that the area where the house is being demolished is already disturbed and there will be more disturbance with the proposed garage location. Member Kasper commented that there are some large trees in the proposed garage location that will need to be removed. Mr. Eggleston stated that a row of arborvitae would be removed from the general area.

Member Kasper inquired whether the applicant has received variance approval. Mr. Eggleston stated that everything was received by the ZBA in a positive fashion however, there were only three ZBA board members present and that the applicant requested that the public hearing remain open until there is a full board present for voting.

Chairman Tucker inquired if there was a way for the application to achieve 80% open space on the lot. Mr. Eggleston stated that the addition is only 160SF and that the proposal will increase the open space by 6.9%. He continued stating that the house was constructed in a location that requires a long driveway. There is no reasonable way to achieve 80% open space. The Delmonicos reduced the size of their dwelling in 1996 when they replaced the much larger dwelling on the property.

Chairman Tucker inquired on the ceiling height of the basement of the Delmonico dwelling. Mr. Eggleston stated there is no egress access and the basement is under only a small portion of the dwelling that is used for mechanicals only. The space could never be habitable.

Member Kasper inquired if the septic design has been approved. Mr. Eggleston stated that they are waiting to receive confirmation of the design approval. Chairman Tucker inquired on the location of pavement being removed. Mr. Eggleston stated that 504SF of pavement is being removed by the remaining dwelling, 744SF of the Kitt drive is being removed and 600SF garage with 400SF of driveway to the proposed garage is being added. Mr. Brodsky inquired if the existing garage space is included in the potential living space calculation. Mr. Eggleston stated that it has been included in the number.

**WHEREFORE**, a motion was made by Member Southern and seconded by Chairman Tucker to declare this application to be a Type II action pursuant to section NYCRR617.5(c) (10) and not subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

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

**WHEREFORE**, a motion was made by Chairman Tucker and seconded by Member Southern to continue the public hearing at next month is meeting. The Board having been polled resulted in the unanimous affirmation of said motion.

Mr. Camp stated that the construction of the swale as part of number six in the sequence. Mr. Eggleston stated that the swale installation is part of the demolition phase. Mr. Camp stated that he would prefer it being installed during step number six.

**Continue Review – Hidden Estates Subdivision**

Applicant: Emerald Estates Properties, LP  
3394 East Lake Rd  
Skaneateles, New York

Property:  
2894 East Lake Rd  
Skaneateles, New York  
**Tax Map #036.-01-37.1**

Present: Donald Spear, Representative; Robert Eggleston, Architect; Alex Belding, Appel & Osborne

A conservation analysis completed by Appel & Osborne dated January 9, 2015 was submitted as a supplement to the 2009 conservation analysis completed by EDR. Mr. Belding stated that included in the supplemental analysis are the maps and findings including analysis of the slopes, wildlife habitats, wetlands, and views.

The EDR conservation analysis map reflects high conservation value (dark green) at the eastern end and partially along the southern edge of the property. Medium conservation value (light green) is located from the middle of the property to the edge of the high conservation value. The low conservation value (yellow) is located on the western edge of the property from East Lake Road to the center of the lot.

Mr. Belding continued stating that there are no slopes greater than 30% on site. 12-20% slopes are buildable with walk out basements that are considered environmentally friendly. The applicant does not intend to build houses in the slopes that are greater than 20%. The slopes map reflects the actual average of the various slopes in the areas. Mr. Camp stated that the submitted topography of the slopes on the map does not reflect what is existing today, as it does not reflect the road and banks that were installed. There are slopes that are greater than what is displayed on the map.

The next map reflects the protected wildlife areas and farmland. The area to the south has preserved farmland, and a 50' buffer was added for screening and windbreak to keep development away from the farmland. The upper portion of the lot has been left undisturbed and shrub is growing in the area providing habitat for animals. The lower portion of the site has

been actively mowed and this area was left as low conservation area. Buffers were left by the wetlands and upper forest areas.

The next analysis map is based on views from three areas, with view #1 from East Lake Road looking up the drive. Because of the slope change on the driveway, it is very difficult to see any of the dwellings currently under construction. This view was classified as medium conservation value as it does not impede views of the lake or neighbors. View #2 from East Lake Road north of Pork Street in winter, this is the only view where you can catch a view of the two structures. This view also reflects the wooded areas and this view were classified as high to medium conservation value. Chairman Tucker stated that he could see the structures especial the red barn that sticks out. Mr. Eggleston stated that the barn represents what you would expect to find in an agricultural area. Member Kasper stated that if another 6-7 houses are proposed for that area the you will see the 6-7 new houses from this area. Mr. Spear stated that it is unlikely that you would see the houses, as they would be downhill from the barn. Chairman Tucker stated that you would see the houses to the east. Mr. Spear stated that there are the Teller property spruces that would shield the view. Mr. Eggleston stated that there are 50-100' spruces along the property line.

View #3 across the lake from West Lake Road along fire lane 17, reflecting the winter view of the driveway and the two dwellings under development. The woods at the top of the site will remain so that any dwellings would not be silhouetted. Member Kasper stated that picture is deceiving, as when the board was at the property along fire lane 17, the road and dwellings could be seen clearly across the lake. He continued stating that he is not satisfied with the picture. Mr. Eggleston stated that there would be no proposed dwellings located in the steep slope area that you can see from across the lake, and where the Nangle dwelling is will be the average for where the houses will be. There will be a very shallow oblique angle looking at it from across the lake. Member Kasper commented that you would see every house that is built up there. Mr. Eggleston recommended looking at the map with suggested potential lot layouts you could see that the mature woods on the Pajak property would screen a portion of the potential dwellings. The location of the Weaver barn and Nangle house is in the most vulnerable area.

The wetlands and watercourse locations with the 100' buffer determined by EDR were confirmed by Appel & Osborne and are classified as high conservation value. The final map is the composite map that has all layers of the conservation analyses values including steep slopes, views, habitat and farmland, and wetlands and watercourses. Areas in oranges and reds are high conservation values, shades of green are medium conservation value and shades of yellow are low conservation values. The gradient color values reflect the number of categories from the analyses. The EDR conservation analysis value map is consistent with the supplemental map.

Chairman Tucker stated that the map of the view going north on 41A is representative as there is not much that you can see from that direction. Going south there is a little bit of a view of the property if the vegetation is left. You will see some of the dwellings from across the lake. Member Kasper recommended that guidelines be set on conservation areas before the application continues.

Mr. Eggleston requested confirmation that no areas of analyses have been missed that the Board would like to address or if the board is satisfied and considers the conservation analysis complete. The applicant is recommending that no dwellings be placed in the high conservation areas of the lot. Dwellings could be placed in the medium slope areas as dwellings with walk out basements built into the slope. Mr. Camp stated that for consistency, what Mr. Eggleston is

stating is medium slopes on this application are being viewed as steep slopes by some of the board member across the lake. He continued stating that he is in agreement with Mr. Eggleston's classification of medium conservation value. Mr. Brodsky stated that slopes greater than 12% is what is trying to be avoided for development although permissible. Member Kasper commented that 12% or more slope is a critical slope in the lake watershed, and should be considered medium conservation value. Mr. Camp commented that Mr. Belding from Appel & Osborne characterized 12% slopes as reasonable slopes for dwellings with walk out basements. He continued stating that building in a 12% slope is not a steep slope and is not unusual but you should make sure it is done carefully. Mr. Brodsky stated that the code recognizes the slopes 12%-30% are buildable with site plan review. Member Kasper stated that 12% slopes should have a medium conservation value to communicate caution in the site plan process.

Mr. Eggleston stated that 15% slopes are in a limited area. Mr. Camp reminded that board that alternate road configurations have been proposed that will require cutting into the embankments creating 33% slopes or more. The existing road was designed at 33% slope. Mr. Eggleston conceded that the analyses reflect pre-road and pre-development of the lot. Mr. Brodsky inquired if an as built survey of the road is available. Mr. Eggleston stated that the as built survey is being completed now. Mr. Brodsky recommended that the conservation analysis be superimposed over the as built survey incorporating the developed lots and road. Mr. Eggleston stated that the as built will only be for the road and not the entire parcel. He continued stating that by building up the grade the road is shifted over. There will not be much cutting into the land; we will be adding a structural base and moving the road over. Mr. Camp stated that on some preliminary sketches the road had major changes. Mr. Eggleston stated that the road will be considered on its own merits later.

Mr. Brodsky inquired if the conservation analysis could have an overlay of the building sites that were presented earlier. Mr. Eggleston stated that they would like the findings for the conservation values first then we can locate sites. In the 22% slope area we are not proposing any houses. Mr. Camp commented that building a road is potentially more damaging than building a house due to the nature of a road and its impact on drainage. Mr. Belding commented that their firm completed the conservation analysis pre-design. Mr. Eggleston stated that the road is a focus in on itself and that is where the road is going to be. It should not take major adjustments to make it a 12% slope or an appropriate slope acceptable to the Planning Board.

Mr. Brodsky commented that the vegetation on the northwest corner is located on the neighbor's property and the Board cannot rely on this for shielding. Consideration should be given to add vegetation to and protect the existing trees on the lot in the northwest corner. Mr. Eggleston commented that the area with trees should be made medium conservation value. Mr. Camp agreed stating that the trees have value to the property. Mr. Eggleston stated that the potential dwelling sites are not located in the northwest corner.

Member Southern inquired how the high conservation areas will be protected. Mr. Eggleston stated that the conservations findings will determine where the sites will be located that will be in the low and medium conservation areas with a 6 acre average for each of the lots. Counsel Molnar stated that the outcome of the conservation analysis and the Planning Board's determination will be incorporated into the approved sketch plan and land permanently preserved by a conservation easement as well as recommended conservation uses, ownership and guidelines for use of such land.

Mr. Brodsky recommended the board to take the conservation analysis with them as they go back out to look at the land and see if they agree with the analysis. Mr. Spear stated that it was done by Appel & Osborne. Mr. Brodsky stated that it would be helpful for the Board to confirm for themselves and strengthen their conclusion. Member Kasper stated that it would help the board with the new information and look at the views and the slopes. Mr. Eggleston stated that the supplement supports the EDR conservation analysis completed in 2009 with the addition of the views and slopes. He continued stating that vegetation can be added to obscure more of the view from across the lake and from Pork Street. Mr. Spear stated that the vegetation along the road has begun to fill in making the road less visible. The locations of the potential dwelling sites will need to be re-addressed to keep them out of the steep slopes.

Mr. Eggleston inquired if there should be a 50' high conservation buffer along the north and northwest side of the property. The Board recommended that it should only be shown on the site plan as a 50' buffer on the north and west side. Member Kasper inquired on the number of lots that are being considered. Mr. Eggleston stated that the conservation subdivision only allows a maximum of twelve lots from a conservation driveway. Mr. Spear stated that there will be eight more building lots and one additional large lot as residual land. The Board is not yet in agreement of how the residual lot should be treated. Mr. Eggleston reiterated that the first thing to do is get a conservation finding from the Board before lots are determined. Each board member can visit the site before the next Planning Board meeting.

**WHEREFORE** a motion was made by Member Southern and seconded by Member Kasper that the applicant establish an escrow account in the amount of \$5000 for project engineering review. The Board having been polled resulted in the unanimous affirmance of said motion.

**Continued Review –Site Plan Amendment**

Applicant: Skaneateles Country Club  
3344 West Lake Street  
Skaneateles, NY 13152  
**Tax Map #041.-01-21.0**

Present: Jim Fields, Tim Ciriacione, Skaneateles Country Club; JoAnne Gagliano, Steve Breitzka, EDR

At the last meeting there was a discussion regarding the calculation of shoreline structures that required reconciliation based on the removal of structures outside of the Town's jurisdiction. The ZBA had granted of variance for a total of 38,175SF of shoreline structure in 2013, and with the non-jurisdictional portion removed, the adjusted calculation is 19,916SF. The proposed improvements increase the shoreline structures calculation to 22,969SF; the proposal will improve the safety of the area and comprises the total increase requested. There has been inconsistencies with the location of the high water mark with the boat ramp, as some surveys had the high water mark run through the boat ramp and others have reflect the high water mark enclosing the ramp within the high water mark. The survey submitted is the conservative approach of the mean high water mark running through the ramp and causing part of the ramp to be calculated in the shoreline structures total. Member Kasper inquired if the seawall is being widened. Mr. Breitzka stated that the proposal includes the repair of the existing sea wall and that it will not be widened. A variance amendment will be requested from the ZBA at the February ZBA meeting, and the applicant requested the Planning Board to set a public hearing date for this application on February 17, 2015.



**WHEREFORE**, a motion was made by Chairman Tucker and seconded by Member Kasper to schedule a public hearing on ***Tuesday, February 17, 2015, 2014 at 7:30 p.m.*** The Board having been polled resulted in the unanimous affirmation of said motion.

**Attorney Advise Session**

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

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

The Board returned at 10:12 pm.

**Discussion**

The Applicant requested that the Special Meeting set for January 27 be postponed.

**WHEREFORE** a motion was made by Chairman Tucker and seconded by Member Southern to adjourn the special meeting that was scheduled for the Loveless Farm Development LLC application on January 27, 2015 The Board having been polled resulted in favor of said motion.

As there was no further business, a motion was made by Chairman Tucker and seconded by Member Southern to adjourn the meeting. The Board was in unanimous affirmance of said motion and the meeting was adjourned at 10:15 pm.

Respectfully Submitted,

*Karen Barkdull*

Karen Barkdull, Secretary/Clerk