

**TOWN OF SKANEATELES PLANNING BOARD  
MEETING MINUTES  
May 12, 2020**

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

Chairman Southern opened the meeting at 6:30 p.m. The meeting minutes of April 7, 2020 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

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

**RECORD OF VOTE**

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

The meeting minutes of April 21, 2020 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

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

**RECORD OF VOTE**

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

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

Applicant	WV Properties One LLC	Property:
	Juhan Visser	Old Seneca Tpke
	9 NE Ashwood Lane	Skaneateles, NY 13152
	Skaneateles, N 13152	<b>Tax Map #029.-02-12.0</b>

Present: Juhan Visser, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

Mr. Eggleston began saying that the lot is an under 20,000 square foot lint with an existing utility building. Proposed is the demolition of the utility building and construction of a 24x30 foot pole barn for personal storage. There will be electricity, but no water or plumbing added. Impermeable surface coverage would

be 14.4% with 15% maximum allowed for this lot. In discussions with OCDOT, they requested that the proposed driveway be shifted 10 feet to the east as shown on the April 7, 2020 drawing. The driveway ten would curve to the building. The drainage eaves strips drain to the north corner where there is an existing drainage ditch. Member Hamlin asked if there would be any outside storage and Mr. Eggleston stated that all the storage would be located inside. Member Winkelman inquired if the driveway would be paved and Mr. Eggleston said that it would be paved in the right of way then the rest of the driveway would be gravel. Member Winkelman commented that you would not want to skid on stones exiting the property.

**WHEREAS**, a motion was made by Chairman Southern and seconded by Member Hamlin, the Planning Board to classify the application as a Type II action pursuant to 6 NYCRR617.5(c)(9) and not subject to further review under SEQR. The Board having been polled resulted in the unanimous affirmation of said motion.

At this time, Chairman Southern opened the Public Hearing and asked if there was anyone in favor of the proposal. No one spoke in favor of the application. Chairman Southern asked if there was anyone who wished to speak in opposition or had any other comments on the project. No one spoke in opposition of the application or had any other comments on the project.

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

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

1. That the Special Permit Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan 1 of 2 dated April 7, 2020 and 2 of 2 dated February 21, 2020, and Narrative dated February 21, 2020, prepared by Robert O. Eggleston, Licensed Architect, be strictly followed; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
4. That the storage building be limited to personal storage use only; and
5. No certificate of occupancy shall be granted until the Applicant has filed a set of as-built plans with the Codes Enforcement Officer, indicating any deviations from the approved site plan. The Codes Enforcement Officer shall be responsible for the inspection of site improvements, including coordination with the Town's consultants and other local officials and agencies, as may be appropriate; and
6. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

**RECORD OF VOTE**

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

**Public Hearing- Special Permit**

Applicant:

Michael Shende  
5197 Point East Dr  
Jamesville, NY 13078

Property:

2346Thornton Grove North  
Skaneateles, NY 13152  
**Tax Map #056.-03-16.2**

Present: Tom Trytek, TDK Engineering Associates;

As discussed at the last meeting, this site has had several shoreline improvements and in 2012 a low-profile timber wall along the shoreline was approved and installed and has subsequently failed since. Proposed is a five-foot-high steel sheet pile wall system tied into the bedrock. The DEC requested that the wall system would be in line with the existing wall and the design has been modified to comply. The wall system would be completely out of the lake line except for the toe stone for wave attenuation. Mr. Camp did not have any addition comments on the project. Member Winkelman inquired on the timing of the project. Mr. Trytek said that when the permits are in place the owner would like to begin as soon as possible, probably late summer or early fall taking approximately six week. Member Marshall inquired on how the applicant would go about constructing the wall and Mr. Trytek stated that they would do the work by barge. Also, a lot of the material can be brought in by hand. Member Winkelman asked if the vegetation on the steep bank would be disturbed and Mr. Trytek said that it would not be disturbed.

**WHEREAS**, a motion was made by Chairman Southern and seconded by Member Hamlin, the Planning Board to classify the application as a Type II action pursuant to 6 NYCRR617.5(c)(11) and not subject to further review under SEQR. The Board having been polled resulted in the unanimous affirmation of said motion.

At this time, Chairman Southern opened the Public Hearing and asked if there was anyone in favor of the proposal. No one spoke in favor of the application. Chairman Southern asked if there was anyone who wished to speak in opposition or had any other comments on the project. No one spoke in opposition of the application or had any other comments on the project.

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

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

1. That the Special Permit Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and

2. The Site Plan SP-1 through SP-6 dated May 7, 2020 and Narrative dated February 27, 2020, prepared by Thomas Trytek, Licensed Professional Engineer, be strictly followed; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
4. No certificate of occupancy shall be granted until the Applicant has filed a set of as-built plans with the Codes Enforcement Officer, indicating any deviations from the approved site plan. The Codes Enforcement Officer shall be responsible for the inspection of site improvements, including coordination with the Town's consultants and other local officials and agencies, as may be appropriate; and
5. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

**RECORD OF VOTE**

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

**Continued Review-Special Permit**

Applicant:

Bruce & Patricia Texeira  
 17 Ridgeview Place  
 Mt. Sinai, NY 11766

Property:

2141 Terrace Lane South  
 Skaneateles, NY 13152  
**Tax Map #057.-03-02.0**

Present: Bruce & Patricia Texeira, Applicants; Bill Murphy, Space Architectural Studio;

Mr. Murphy began by stating that updated drawings and information has been submitted to the board recently.

Based on the feedback from last month's meeting they agree for the need to protect the lake from undue development. He continued saying that unfortunately controlling the density of development around the lake has not done enough to control the HABs in the past through years. More needs to be done to protect the lake and they applaud the Town of Skaneateles for the development of the small-scale stormwater management guidelines. He continued saying that he has familiarized himself with the document with the sizing guidelines over the last month. They have done the calculation of stormwater management for the property and compared the calculation to the guideline calculation of the proposed stormwater management system. The guidelines would require a 10x29 foot facility in addition to the \$19,000 payment into the DRA fund in order to erect the small deck and shed on the property. The Texeiras have been visiting their son and family for over a decade and are informed on the HAB issues on the lake. Mr. Texeira is a retired teacher and joined the SLA over 3 years ago when the property was acquired. He is looking to become more involved in the lake community.

Mr. Murphy said that they have considered alternative designs including construction of the deck above the garage that would not require a stormwater management facility. They could move a wall and have a deeper porch although it would not provide access to sunshine for the applicants. Neither is an alternative that the applicant would like to consider and would like to do something that would benefit the lake rather than skirting the Planning Board by going down either of those paths.

Terrace Lane Association has taken some steps to protect their lakefront. Previously there had been a bank failure on the adjoining parcel and the town has identified this area as an area of concern. This proposal would slow down the water and allow the nutrients to infiltrate instead of letting it run roughshod down the ditches directly into the lake. The proposal should help to prevent HABs from occurring in the future.

The proposal has been updated to shown the underdrain and rock weir detail, smaller plant areas and turf grass, and having the weirs shifted further from the lane to allow more curb area. Also, the four weirs will be at existing grades, and with a total size of 10 feet by 90 feet. This would be three times the size required for the lot, providing appropriate draining for a 1.75 acre lot. This existing impermeable surface coverage would equate at 4.625% impervious coverage on a 1.75 acre lot. He continued saying that although their proposal is not the traditional method, they believe that it completely offsets the impermeable surface coverage on the lot, thereby nullifying the need for the payment into the DRA fund and providing the appropriate size and location for the conservation easement.

Mr. Murphy referred to section 3.3 long term section of the small scale stormwater management guidelines that states "work towards established a program for regional water quality treatment facilities. These facilities could be supported by the establishment of drainage districts. Money from the DRA fund could be used to establish locations for the facilities". Mr. Murphy then said that their proposal could be the district to handle some of the runoff problem in that area. In his opinion, this was a collaborative effort that developed during a board site visit. Their original proposal did not have a proposed stormwater facility to offset the construction of the small deck.

By slowing down the stormwater in the area by having the stormwater flow through the proposed check dams to filter out nutrients before they enter the lake and encourage HABs. They would like the board to consider their proposal to provide reasonable use of the property and improve the environment. Without a deck and stormwater facility, the existing drainage conditions would remain.

Chairman Southern commented that the board supports the proposed stormwater facility that exceeds the design suggested by the small scale stormwater management guidelines. However, it does not meet the requirements for 148-12G(6)(a) and satisfy the stormwater management guidelines. Mr. Murphy said that they are asking for a variance from the Zoning Board of Appeals for that section of code for the location of the conservation easement to be located in the stormwater facility area and for the size of the conservation easement. Chairman Southern commented that the area of the proposed conservation easement is already an area that is unbuildable and placing the conservation easement in this area would not accomplish what is needed. He continued saying that the applicant needs to address the impermeable surface coverage that meets the zoning code. Member Winkelman inquired what the role is of the Planning Board in their request for the variances.

Counsel Molnar began stating that the applicant has requested variances from 148-12G(6)(a) from the Zoning Board of Appeals that requires, "The use of mitigation measures that result in a conservation easement of 10 square feet of land in the same general area for each square foot of impermeable surface coverage greater than the area to bring the lot into compliance with applicable coverage limitations." The applicant is seeking an area variance for the conservation easement to be located on this lot instead of in the general area, and relief on the calculation of 10 square feet to 1 by creating the stormwater management facilities that are much larger than necessary as indicated in the small scale stormwater management guidelines.

The section continues, "the determination as to the appropriate location of protected land shall be made by the Planning Board in consultation with the town Planning Board Engineer. " That is not a section that can

be subject to an area or use variance. That section remains for the Planning Board to determine whether or not this proposal is acceptable. To the extent that the Planning Board can give prior indication to the Zoning Board of Appeals while reserving its right to SEQR determination and final determination of the application. Then the applicant can move forward with the Zoning Board of Appeals, obtain an area variance, and then come back to this board for the determination of the site plan and the determination of the 148-12G(6)(a) that this is the correct location based upon the numbers presented.

Chairman Southern stated that based on the presentation, the proposed location is not appropriate and that it does not qualify under 148-12G(6). The proposed area cannot be built on under any circumstances due to the condition of the land. The town is trying to prevent expansion in the watershed, and this area is already precluded from expansion on their lot. The proposal does not address the impermeable surface requirements and does not meet the section of code. Mr. Murphy acknowledged that the proposed has not been in front of the board before, however, he doesn't feel that a conservation easement can be executed anywhere in the area to protect the area. He continued saying that they will need to take pieces of property in their densely populated area to create mitigation measures. He felt that he cannot put postage size pieces of land in the area to mitigate the impermeable surface coverage. Mr. Camp said that the intent of the code in this section is to provide an area to offset nonconforming lots in other parts of the watershed. He continued saying that while the proposed stormwater management system is three times oversized, the conservation easement located on this lot does not accomplish anything.

Member Marshall commented that she agreed with what was being said and inquired about future measures that Mr. Murphy spoke about. Mr. Murphy stated that section 3.3 of the small scale stormwater management guidelines recommends the development of drainage districts that once established, land could be purchased and stormwater systems installed. Member Marshall said that what the applicant is proposing is a shortcut for the same result. Mr. Murphy said that the stormwater coming down needs to be managed and that allowing development upland does not help with runoff within 200 feet of the lake. Member Winkelman said that the ultimate goal of the acquisition fund is water quality and this is getting to the ultimate goal of keeping our lake clean. He continued saying he likes the proposal but how it can reconcile with the zoning code is the issue. Member Kasper stated that he could see that every project coming to the Planning Board would just oversize their stormwater management and not acquire extra land. Member Marshall said that it could be difficult to regulate however, if it could be figured out there could be great benefit. Member Hamlin said that the board needs to consider the downstream affect. Chairman Southern said that protecting the upland properties is what will benefit the lake quality. Member Marshall said that protecting the land upland is one thing but when you have land this close to the lake there are things that can be done to filter and slow the stormwater and do just as much good. Chairman Southern commented that both things need to happen to protect the lake and the watershed.

Mr. Camp said that the zoning code has the overall goal of a maximum of 10% impermeable surface coverage and the reason that was established was that 10% is the tipping point on impermeable surface coverage. Once a watershed exceeds 10% impervious coverage, degradation of the water quality occurs. Allowing the easement on this lot does not stop someone in the watershed from developing a lot at 10%. Member Marshall said that Mr. Murphy had commented that there are other ways that an applicant could do the project that would eliminate the stormwater systems. Mr. Brodsky agreed that the code could be examined for ways to incent people to improve storm water controls; however, this application is mixing controlling impermeable surface and contributing to the draft fund by buying land in the watershed and getting it out of development, with a capital improvement with a drainage district. These are two different strategies that are targeting the same objective. They don't mix well in terms of applicability of tools. The zoning tool is to get land out of production and the drainage district is a mitigation tool pursued by the town or an applicant as a mitigation measure to control runoff or the localized effects of drainage. The issue with

this lot is the amount of impermeable surface coverage on the lot and not the proposed improvements. The proposed small scale stormwater management system is for the control of stormwater on the site.

Mr. Murphy stated that the lot is at 21.6% impermeable surface coverage and that and they are required to have a 10x29 foot stormwater facility which is enough to offset their coverage on a 1.75 acre lot which is 4.624%. Mr. Brodsky said that the facilities are improvements to the drainage pattern in the area but does not address the condition of the lot and the excessive impermeable surface coverage.

**WHEREFORE** upon a motion duly made by Chairman Joseph Southern, and seconded by Member Donald Kasper, reserving it rights for review for compliance with zoning code requirements including SEQR review of the Application, the Town of Skaneateles Planning Board determined that the request does not meet the requirements of code sections §148-12G(6)(a) and (b), based on the following findings:

1. The proposal does not provide the permanent protection through the conservation easement on land in the same general area as the Property of 10 square feet of land for each square foot of impermeable surface coverage greater than the area required to bring the Property into compliance with applicable coverage limitations for conforming lots.
2. The proposal does not provide the appropriate location for conservation easement required by code, in that the area suggested is non-buildable on the Property, and any site plan approval for the Property will require compliance with the Town of Skaneateles Small-Scale Storm Water Management guidelines by the creation of storm water management facilities on site.

**RECORD OF VOTE**

Chair	Joseph Southern	Present	[Yes]
Member	Scott Winkelman	Present	[No]
Member	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Jill Marshall	Present	[Yes]

Member Marshall stated that she agrees with Member Winkelman’ s no vote and recommended that the town explore ways that this kind of thing can be done and meet our regulations. Member Kasper was in agreement with Member Marshall’s statement. Chairman Southern stated that the zoning code can always be modified as new techniques are developed, but the existing zoning code does a good job of protecting the lake. It can be strict and harsh and that is why there is a Zoning Board of Appeals; however in this case they cannot provide total relief. Mr. Teixeira stated that he understands the code and that each case in front of the board is individual. In this case, it does not make any financial sense to follow the code as it is written. What they are proposing allows everyone to win. They are here to enjoy the lake and protect it as much as possible. It is not affordable to do what is being asked and they are not going to do it. They are going to walk away and not do anything to protect the lake. Unique amendments to the code should be considered for situations such as this.

**Continued Review- Site Plan Review**

Applicant:

Jacalyn Falter  
1644 Chinaberry Way

Property:

3101 East Lake Rd  
Skaneateles, NY 13152

Present: Robert Eggleston, Eggleston & Krenzer Architects;

The applicant is redeveloping the property with the impermeable surface coverage being reduced from 12.1% to 9.9%. The new dwelling porch will be located 102 feet from the lake with the dwelling located 120 feet from the lake line. The existing house that will be demolished is located 64 feet to the lake line. A new septic field will be located more than 300 feet from the lake. Two bio-swales will be installed to control runoff. Half of the water from the driveway and house will go to the north bio swales that will also be constructed first. The second bio swale will be located on the south side. There are two patriarch trees that will be preserved on the lakeside. The property slopes away from the lake allowing the dwelling to be built with a walk out basement.

Member Winkelman inquired on the lake access to the north. Mr. Eggleston stated that the access does not include parking as the easement is connected to the dwelling across the street. They can park at their house and walk down to the lake through the easement.

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

Member Kasper inquired if there are changes to the site plan after the town engineer had conducted a site visit. Mr. Eggleston clarified that there are no changes to the site plan; however, there is an underdrain that drains along the stairs wall and a catch basin on the east side of the house that will be abandoned. There is no indication of the outfall. The underdrain will cascade down between the concrete and wood stairs at the lake. The easement will not be impeded by the redevelopment of the lot.

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

1. That the Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan 1 of 4 through 4 of 4 dated February 28, 2020 and Narrative dated February 26, 2020, prepared by Robert O. Eggleston, Licensed Architect, be strictly followed; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
4. No certificate of occupancy shall be granted until the Applicant has filed a set of as-built plans with the Codes Enforcement Officer, indicating any deviations from the approved site plan. The Codes Enforcement Officer shall be responsible for the inspection of site improvements, including coordination with the Town's consultants and other local officials and agencies, as may be appropriate; and
5. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.



**RECORD OF VOTE**

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

**Sketch Plan –Site Plan Review**

Applicant

Jeremy Kimball  
1351 Cherry Valley Tpke  
Skaneateles, NY 13152  
**Tax Map #032.-03-30.1**

Present: Jeremy Kimball, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

The applicant purchased the mixed-use property several years ago that also contains a single-family residence. It has truck rental, indoor and outside storage, dance studio, and offices. The single-family dwelling is a preexisting nonconforming use in the district. The large family is looking to have more space and is proposing an attached garage with master bedroom above. The expansion of greater than 500 square feet and the applicant received a variance from the Zoning Board of Appeals on May 5, 2020.

The existing stormwater system was designed with the maximum impermeable surface coverage allowed. The existing impermeable surface coverage is 29.7%, the driveway to the dwelling will be reduced in size, and the proposed will increase the total impermeable surface coverage of the mixed-use lot to 29.9%. The swale between the dwelling and storage buildings directs the stormwater to the north facility.

Member Kasper asked for clarification on the location of the existing and proposed driveway. The sidewalk to the existing dwelling and a portion of the existing driveway will be removed. Mr. Camp commented that the property has had several reviews and improvements done over the years. The stormwater management facility was extensively reviewed and installed. Member Kasper commented that the existing retention ponds are functioning properly as evidenced with the last storms.

Member Marshall inquired if the plans meet with the gateway plans, and Mr. Eggleston commented that there is room in the right of way for any future sidewalks. Member Kasper inquired if the septic system located in the front yard would impede the sidewalk and Mr. Eggleston replied no as the septic field has to be ten feet from the property line. Mr. Kimball commented that he would support having sidewalks as his children walk to school. Mr. Eggleston said that typically sidewalks are located in the public right of way. Mr. Camp commented that it would be easier from a permitting standpoint if the sidewalk was not located in the right of way although an easement would need to be granted. Mr. Eggleston said that as the gateway plan has not been finalized, it is difficult to determine where the sidewalk would be placed. It has yet to be determined if the ditches will remain or if the stormwater will be buried.

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

**WHEREAS**, the Planning Board classified this application a Type II action pursuant to 6 NYCRR617.5(c)(11) and not subject to further review under SEQR, and further considered the Planning Board’s prior thorough SEQR review of the Property in prior approved applications relating to the Property (“Prior Approvals”); and

Member Winkelman inquired if all of the prior plantings were completed that were part of the prior approvals given to the property. Member Kasper inquired if the architect could verify that the prior conditions have been met and inform the board.

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

1. That the Site Plan Approval shall expire if the applicant fails to comply with the conditions stated within 18 months of its issuance or if its time limit expires without renewal; and
2. The Site Plan 1 of 4 through 4 of 4 dated February 28, 2020 and Narrative with construction sequence dated February 26, 2020, prepared by Robert O. Eggleston, Licensed Architect, be strictly followed; and
3. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or the Application; and
4. That the architect of record shall verify that all prior conditions related to Prior Approvals for the Property have been met; and
5. Except as amended hereby, the conditions of the resolutions pertaining to the Prior Approvals remain in full force and effect; and
6. No certificate of occupancy shall be granted until the Applicant has filed a set of as-built plans with the Codes Enforcement Officer, indicating any deviations from the approved site plan. The Codes Enforcement Officer shall be responsible for the inspection of site improvements, including coordination with the Town's consultants and other local officials and agencies, as may be appropriate; and
7. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of completed project within (60) days of completion of the project.

**RECORD OF VOTE**

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

**Sketch Plan – Site Plan Review**

Applicant      West Lake Road Properties LLC  
                     1200 State Fair Blvd                      Property:

Syracuse, NY 13209

1808 West Lake Rd  
Skaneateles, NY 13152  
**Tax Map #062.-01-09.2**

Present: James Ranali, Owner; Brian Bouchard, CHA

Based on the informal discussion that occurred last month, revised plans have been submitted for the proposed pool and patio and improvements to the driveway. An updated survey and site plan have been submitted that includes topography.

The intent is to improve the driveway from the curvilinear design with grass strip down the center to a straightened approach coming further south along the property line. The existing driveway has been difficult to maneuver and does not extend across the entire garage area. The prior discussion was the potential use of permeable pavers for the driveway strip and along the driveway. The zoning codes reads that if the tires of a vehicle access it, the surface is impermeable and should be included in the calculations. A suggestion last month was to create a barrier along the driveway so that a vehicle would stay on the paved driving strips, allowing the center of the drive to be permeable pavers as they would not be driven on. The ten foot width driveway would have two three foot wide driving paths. The center of the driveway would have permeable pavers set on #2 stone and an underdrain. The permeable pavers down the center strip will be easier to maintain than grass. Mr. Ranali stated that one reason for straightening the driveway is that the existing curvilinear design would make it difficult for a fire truck to drive down to the dwelling. The proposed deck and pool permeable surface will be offset by the removal of the permeable tennis court. He continued saying that he did not think a grass strip is feasible in the winter months with snow plowing.

Mr. Brodsky commented that the town has historically not approved of permeable pavers as a permeable treatment for use on a driveway. He continued saying that straightening the driveway is an improvement. The proposed stones alongside the driveway would be moved by snowplows or shifted by other vehicles. He suggested that removal of additional impermeable surface coverage on the property could assist in the reduction of the impermeable surface coverage.

Mr. Bouchard explained that the boulder stone edge would keep the vehicle on the driveway path and protect the center permeable pavers from being driven on, thereby, not setting a precedent of the use of the pavers become impermeable. They were looking to improve the driveway by providing permeable paver that could filter and control the runoff from the driveway through a bio-swale. Mr. Camp commented that a loose pile of stone would be dislocated by a car or plow driving on it. It would also be difficult to push the snow off the drive without disturbing the stone. He continued saying that there are successful installation, of grass strips in the town but cautioned that they have to be installed properly and maintained.

Mr. Brodsky inquired what the elevation was for the proposed patio. Mr. Bouchard explained that there are existing sliding glass doors that lead out to the grade that drops off. In order to create a patio area that meets with the floorplate of the building, the patio area would be surrounded by a retaining wall with the pool being placed within with an infinity wall. The retaining wall will be backfilled with #2 stone for drainage. Mr. Brodsky inquired on the amount of fill and the height that will be needed for the patio. Mr. Bouchard said that when you come out of the dwelling the finished floor is minus two feet and then it flattens. The northern end is the steepest at 6 to 7 feet. Mr. Camp commented that permeable paver systems patios are usually set at grade. Mr. Brodsky inquired if other options have been considered for the patio and pool that would not require the retaining wall and fill. Mr. Bouchard commented that whether the water goes through six inches or six to eight feet of stone to get to the earth, it is not running off of the surface. The code considers decks and patios that allow water to pass through them as permeable. Some of the elevation drop creates a catch basin for the pool's edge.

Member Kasper inquired what material will be used for the retaining wall to hold up seven feet. Mr. Bouchard said that it would be a precast system like Redi-rock, Member Kasper inquired on the width of the wall. Mr. Burchard stated that the capstone and the perimeter wall apron would be solid concrete. The perimeter of the hot tub as well as the capstone on the retaining wall will be counted as impermeable surface coverage. The walking surface would be permeable surface. Member Marshall inquired if there is any chance that the water could pool and asked about the depth of the wall. Mr. Bouchard stated that the wall would be a block wall without a solid surface face. There would not be a concrete pad underneath the patio. Member Marshall inquired if the wall would have drainage points or if it would be collected and held underneath the patio. Mr. Camp stated that it would be dependent on whether the stone had fines or if it was washed stone. Mr. Bouchard that it would be washed stone with large gaps for the stormwater to infiltrate. The retaining wall is segmental and has gaps that allow water to run through. The wall will be dry laid and assembled like Legos. Footers are not required for this wall.

Member Kasper inquired if there are rain gutters. Mr. Ranali said that there are six inch gutters all around the house that are directed to the north and south drainage tiles. There is a gutter on the roof on the east side above the patio so that stormwater would not come from the roof of the dwelling onto the patio. Member Kasper commented that the patio should drain properly if the right fill is used. Mr. Bouchard commented that he could pass along the permit package to Mr. Camp to review.

Member Kasper inquired if there is a way to lessen the curve of the existing driveway with a less radius rather than relocate the driveway to the south. Mr. Bouchard said that there is a substantial radius on the driveway that is very long and that the intent of the proposed straight driveway was to keep it straight then having a gentle curve at the end to access the garage. Mr. Ranali said that it would probably create two curves. Mr. Kasper commented that the cobblestones along the driveway will not work as the first time there is a snowplow the stones would be disturbed. He continued that the center strip of the driveway should be lower than the driving paths so that the stormwater can drain. They could be laid in a V shape to focus the water. Mr. Ranali stated that it would be almost like a gutter. Member Kasper commented that the prior grass strip was not recessed and that caused it to be driven on and to rut. Markers along the driveway in the winter should assist in keeping drivers on the drive path. Member Hamlin commented that the reluctance of using grass along the center strip is a concern over larger trucks coming down the drive. Mr. Bouchard affirmed and added that the grass strip would require the applicant to constantly plant grass.

Member Kasper commented that the town allows bricks to be used as permeable pavers. Chairman Southern stated that if it is not driven on and like a gutter, that it could accomplish it. Mr. Camp stated that grass strips down the center can work if they are properly designed and constructed. They are tedious. But in his opinion, if there are pavers there, then the applicant would need a variance. Mr. Brodsky inquired if the design of the center strip could be designed so that it would not be driven on. Mr. Bouchard stated that the boulders along the drive is a barrier that you would not want to drive on and that the concern seems to be the maintenance after snow plow season. Mr. Brodsky said that it could deteriorate over time and then become part of the drive. Mr. Bouchard said that if there was an alternative to a grass strip, perhaps a permeable paver. The intent of impermeable surface of the driveway whether it is dirt, gravel or asphalt, is that once it is compacted and the water runs off of it. If it is a permeable paver with a V shape or submerged in the center to create an area for the water to go through with a structure below the paver system using a washed #2 stone, it could be constructed so that it cannot be compacted. It would allow the water to permeated and infiltrate. Mr. Camp cautioned that whatever is approved for this application will be applied to other properties so that people can build bigger houses on the lot. Mr. Ranali said that if you were to have a grass strip or permeable paver, the calculations would remain the same. The only they are changing is to replace the grass with a paver system as if you drove on the grass it would pack it down and not

infiltrate water. Chairman Southern commented that to stay with what has been accepted in the past, we should stay with a grass strip.

Mr. Bouchard inquired if a 4 to 6-inch curb along the driveway would be acceptable to keep a driver on the drive paths. Mr. Camp said that if there was a six-inch curb along the driveway that it would keep a driver off the grass. Member Marshall commented that the curbs would increase the impermeable surface coverage. Mr. Ranali inquired if he would need a variance, and Mr. Brodsky commented that a variance request would be for an increase in impermeable surface coverage. Counsel Molnar stated that it would be difficult to obtain as it has only been granted in a prior application where safety on backing up a vehicle on a county road was a concern.

Mr. Bouchard commented that another option is to separate the pool and patio proposal from the driveway proposal. Member Kasper inquired if the proposed patio will increase impermeable surface coverage on the property. Mr. Bouchard stated that the patio is offset by the removal of the tennis court. What they have determined is that the grass strip is more permeable than the permeable paver strip because that is what the board has allowed. Mr. Camp commented that for years it has been accepted that green is best. Chairman Southern inquired if there was consideration if the two driving strips were gutters to handle the water and keep the grass down the center. Mr. Bouchard commented that they may need a little more time to consider the grass strip driveway and requested that they be placed on the May 26, 2020 meeting agenda. They may just come back with the pool proposal.

**Special Permit**

Applicant	Woodbine Group	Property:
	505E Fayette St #100	1046 Old Seneca Tpke
	Syracuse, NY 13202	Skaneateles, NY 13152
		<b>Tax Map #028.-01-03.0</b>

Present: Tom Fernandez, Woodbine Group; Brian Bouchard, CHA Consulting; Mike Lasell, MBL Engineering; Norm Swanson, Woodbine Group; Wayne LaFrance, Lake Architectural

Since the last meeting, the applicant has met with the neighbors and other individuals in the community regarding the proposal. The revised site plan includes an updated planting plans and inclusion of a stone dust trail that will be incorporated between the west side of the driveway and the row of trees that will be planted. There will be an extended shoulder of the driveway that can be used as a bike lane or walking trail when the stone dust trail is covered in snow.

The planting plan reflects the planting schedule that replaces the Norway maples with red maples for the driveway trees. The courtyard area with birch trees in the renderings match the planting schedule. A letter from Ed Frank was received today and the applicant would like to address his comments. Member Kasper said that he would appreciate if the applicant would go through the letter from Mr. Frank.

Mr. Frank acknowledged that the driveway will be placed as originally planed with the screening proposed. His comment about Hill-Rom employees parked and smoking along the road is an enforcement issue and not connected to the proposal. The illumination plans address any concern with lighting as the lights along the road have west facing shields to eliminate glare, and the lights are dark sky compliant. He was concerned about opening up the area between the field and the property line and the proposed trail. There is no recreational use in the wooded area. The proposed septic area does encroach 10-20 feet in one area, the brushy area of the woods. Mr. Lasell stated that there is 300 feet of woods between the septic system and the property line at the narrowest area. Member Kasper suggested that there could be a designated 50 feet

of untouched wooded area. Mr. Lasell stated that there is a 70 foot easement that is dedicated for power lines, and Member Kasper said that 50 feet could be added to that that would remain woods.

Member Kasper inquired if the power easement is for the applicant's proposed buildings. Mr. Bouchard stated that based on the agreement with Hill-Rom, the applicant would have driveway rights and Hill-Rom would have future rights to the power lines that exist to the south of the property should they ever need utility upgrades. Mr. Camp commented that if there will be power lines there you could expect the area to be cleared. Mr. Lasell said the even beyond that there would be 150 feet of wooded area. Member Kasper said that the property is at a higher elevation than Mr. Frank's property. Mr. Bouchard stated that it would be hard to develop that area and suggested that there could be a 50 foot tree line off of the easement. Member Winkelman commented that he thought they were going to keep the whole wooded area. Member Marshall inquired if the easement was on the earlier versions of the site plan and Mr. Bouchard said that it has been on the plans. He continued saying that the remaining 200 feet of woods is not planned to be cleared at this time. He continued saying that if the owner is amenable, there could be an agreement in place to maintain a portion of the woods. Mr. Lasell offered that it could be from the easement to the septic field. Member Kasper said that it could include the existing west hedgerow as well to protect the view by the neighbors. Member Winkelman commented that it would be an important buffer between the IRO district and the residential district.

Member Marshall asked for clarification on the proposed additional trees. Mr. Bouchard stated that along the western side of the proposed driveway, there are a grouping of evergreen trees proposed to shield the lights from the cars entering the driveway. There is an additional hedgerow that will remain. There has to be 100 feet between the power lines and the driveway. The triangle between the driveway and the residential properties will be left green. Mr. Brodsky inquired if there is a formal easement agreement between Hill-Rom and the applicant. Mr. Bouchard stated that he is aware that there is an agreement but would have to check to see if it has been finalized. Mr. Camp inquired why the easement is as wide as proposed. Mr. Lasell stated that it was a in kind tradeoff for the amount of land. Mr. Camp stated that the 70 feet width is very wide for an electrical transmission line. Mr. Bouchard stated that there are no plans for the transmission lines at this point. Chairman Southern inquired what impact of future power lines affects the concern. Member Kasper said that it would affect the trees by the driveway that would block the lights. A condition of an approving resolution that any modifications of the wooded area and easement area would require site plan review for this property and the Hill-Rom property. Member Kasper inquired where power will be coming for the proposal and Mr. Bouchard stated that it would be coming up the road and will be underground.

Mr. Frank also expressed his concern on any activities that may occur on the property. Mr. Bouchard stated that they will not be hosting weddings, concerts, etc. at the property. He voiced a concern over full size buses and Mr. Bouchard stated that they may be buses for hockey tournaments, etc. or their own shuttle. Counsel Molnar commented that the buses idling is Mr. Frank's concern. Member Kasper said that there may be a state law that trucks cannot sit idling. Mr. Bouchard stated that they would abide by any state and federal laws. He continued saying that it is a quiet setting. Counsel Molnar stated that there is no noise ordinance and that in the past the board has placed hours of operation restrictions. Member Hamlin stated that hours of operation would be an appropriate condition to be placed on any potential approval. No outdoor weddings should be allowed on the property.

Mr. Frank's next concern is the septic system and Mr. Bouchard said that they have had conversations with Mr. Frank regarding the strict regulations of the OCDOH regarding the septic system. They have also discussed the stormwater management system and the SPEDS permit regulations that they will be complying with. They met with the fire department and they have made modifications to the plans to comply with the needs of the department and meet the fire code requirements.

Counsel Molnar inquired about the hours of operation. Member Hamlin said that is a prior discussion they had mentioned 6 am to 10 pm or 11 pm for the restaurant. Counsel Molnar suggest that a condition could be that music end one hour prior to the restaurant operation hours. Member Kasper said that he would be concerned with any activity happening outside such as the swimming. Mr. Fernandez requested an 11 pm closing time weekend and 10 pm weekdays and that outdoor areas such as pools closing customarily earlier.

Member Kasper inquired if a construction sequence be provided. Mr. Bouchard stated that earthwork would be done first with a 10 to 11-month duration depending on when they could mobilize. Finish work would occur after that. The driveway would be done first, building footprint, parking lot, utilities. Mr. Bouchard will provide a construction sequence.

Chairman Southern requested that counsel prepare an approval resolution for the applicant to review and the board to consider. Member Marshall inquired if there could be further time for the public to comment and Chairman Southern commented that the public hearing is closed and that the ten-day comment period granted after the public hearing has passed. The application will continue at the May 26, 2020 meeting. Counsel Molnar requested an extension of the 62-day decision period is case the May 26, 2020 is outside of that 62-day window and Mr. Bouchard granted the extension.

**WHEREFORE**, a motion was made by Chairman Southern and seconded by Member Marshall to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 9:34 p.m. as there being no further business.

Respectfully Submitted,

Karen Barkdull, Clerk