

**TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
October 20, 2020**

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

Chairman Southern opened the meeting at 6:31 p.m. The meeting minutes September 8, 2020 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Hamlin and seconded by Member Marshall 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 September 15, 2020 were previously distributed to the Board and all members present acknowledged receipt of those minutes.

WHEREFORE, a motion was made by Member Kasper 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 September 29, 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 Chairman Southern 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] |

Escrow Request

Applicant: Emerald Estates Properties, LP
Skaneateles, New York

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

Present: Don Spear, Read Spear, Marc Spear, Applicants; Robert Eggleston, Eggleston & Krenzer Architects; John Langey, Costello Cooney & Fearon, PLLC; Rudy Zona, RZ Engineering;

There is an outstanding invoice for engineering services rendered in addition to pending billing for legal services, that will require additional funds from the applicant to process.

WHEREFORE a motion was made by Member Kasper and seconded by Member Hamlin that the applicant increases the escrow account in the amount of \$7,000. The Board having been polled resulted in the unanimous affirmance of said motion.

Discussion

Chairman Southern scheduled an additional meeting for November to provide enough time for the case load received this month. There will be two November meetings, the regularly scheduled November 17, 2020 meeting and the second meeting on November 24, 2020.

Public Hearing - Special Permit/Site Plan Review

Applicant: Keefe & Susan Gorman
2545 East Lake Road
Skaneateles, New York
Tax parcel: 037.-01-29.0

Present: Andy Ramsgard, Architect;

The applicant is proposed the replacement and modification of the location of the shoreline stairs. The steel constructed stairs will require minimal disturbance of the bank for the pilon supports. The proposed stairs will be similar in design to the Leones. There will be a slight increase in open space on the property.

WHEREAS, a motion was made by Member Winkelman 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 as it is construction or expansion to a single family dwelling on an approved lot. 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. Chairman Southern asked if there was anyone who wished to speak in opposition or had any other comments on the project. There was no one who spoke in favor, opposition or had any other comments.

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

Member Kasper commented that the new staircase is less intrusive than the prior approved staircase for this property. Counsel Molnar inquired if the board is not considering the application as redevelopment based upon Member Kasper’s comment that the design is less intrusive to the bank although the footprint has been modified and the board concurred with the summation.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Donald Kasper and 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 special permit/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. That the Site Plan Z-1 through Z-2 dated September 1, 2020 (“Site Plan”), and Narrative dated August 31, 2020 (“Narrative”), prepared by Andy Ramsgard, 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 Application or Property.

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 Subdivision

| | | |
|-----------|----------------------------|---------------------------------|
| Applicant | Karl Bitz & Kristin LaBeau | Property: |
| | PO Box 10 | 3719 Highland Ave |
| | Skaneateles, NY 13152 | Skaneateles, NY 13152 |
| | | Tax Parcel #043.-01-08.1 |

Present: Robert Eggleston, Eggleston & Krenzer Architects;

Proposed is a three lot subdivision with lot A as a 2 acre lot containing the single family dwelling and associated structures; lot B will be 5.5 acre lot with 33’ of road right of way; and lot C will be ten acre with 170 feet of road frontage. The applicant would like land for a hobby farm on lot C that is contiguous to their existing lot. Lot A with the dwelling will be sold. Lot B at 5 acres has a 66-foot flag to the lot to have the potential to be developed as an access road for any future subdivision development that would be connected to the McDonald property located to the west. A plat plan dated October 8, 2020 has been submitted to the town that was prepared by Paul Olszewski.

Counsel Molnar recused himself from providing legal advice regarding the application as he lives across the street from the proposed subdivision. Kathleen Bennett stepped in as counsel for the Planning Board for this application.

At this time Counsel Bennett recommended to the Board that the application be an Unlisted Action and reviewed the short form SEQR with the Board. In evaluating, each of the criteria set forth in Part II:

| Part II | No or small impact | Moderate to Large impact |
|--|--------------------|--------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulation? | X | |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | X | |
| 3. Will the proposed action impair the character or quality of the existing community? | X | |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a CEA? | X | |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway? | X | |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | X | |
| 7. Will the proposed action impact existing public/private water supplies and/or public/ private wastewater treatment utilities? | X | |
| 8. Will the proposed action impair the character or quality of important historic, archeological, architectural, or aesthetic resources? | X | |
| 9. Will the proposed action result in an adverse change to natural resources (e.g. wetlands, water bodies, groundwater, air quality, flora, and fauna)? | X | |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? | X | |
| 11. Will the proposed action create a hazard to environmental or human health? | X | |

WHEREFORE, a motion was made by Member Marshall and seconded by Member Hamlin, the Board declared this application to be an Unlisted Action, and after review of the SEQR short environmental assessment form and determined that the proposed action will not result in any significant adverse environmental impacts. 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. Chairman Southern asked if there was anyone who wished to speak in opposition or had any other comments on the project. There was no one who spoke in favor, opposition or had any other comments.

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

Member Kasper commented that lots B and C are flag lots. Mr. Eggleston stated that they designed the Rounds lot to have 200 feet of road frontage and wanted to include the septic and natural hedgerow. He continued saying that the lots are in the RR district that require 150 feet of road frontage, so lot C is not a flag lot. Member Winkelman inquired if there is enough front yard setback for the existing dwelling on lot A when the road goes through. Mr. Eggleston said if the new road goes through the barn would be 53 feet

from the road which could technically create a nonconformity; however, as it is proposed it is conforming. Member Kasper inquired if site plan approval should be placed as a requirement for the newly created lots based on proximity to the wetlands. Mr. Eggleston said that the lots are over 500 feet from the wetlands on another property, and that the lots are relatively flat. He continued saying that he did not feel that the lots warranted having that condition placed on them. Only a portion of lot B is in the lake watershed.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made Member Jill Marshall, duly seconded by Member Scott Winkelman, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the three-lot Subdivision, with the following conditions:

1. The Final Plan subdivision of the Rounds Subdivision, dated October 8, 2020 prepared by Paul Olszewski, Land Surveying, P.C. be submitted for the Planning Board Chairman’s review and signature within 180 days from the signing of this resolution; and
2. That the Applicant shall obtain all necessary permits and approvals from any agency or authority having jurisdiction over the Property or Application; and
3. The Subdivision Map and Deed transferring the property must be filed in the Onondaga County Clerk’s Office within sixty-two (62) days of the signing of said Map, or the Subdivision approval shall be null and void. Proof of said filing shall be immediately forwarded to the Secretary of the Planning Board upon receipt by the Applicant and/or Applicant’s representative.

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- Subdivision

Applicant: Trevor Ryan
1688 Van Camp Road
Marcellus, NY 13108

Property:
1691 Van Camp Road
Skaneateles, NY 13152
Tax Parcel #021.-01-05.1

Present: Michael O’Neill, American Group 1, P.C.

The applicant has a 17.9-acre parcel that he would like to subdivide into two lots with lot 1 at 10.5 acres and lot 2 at 7.3 acres. Both lots meet road frontage requirements for the zone. Mr. Brodsky said that there is a significant amount of wetlands on both lots, especially lot 2. There is no indication of how much of lot 2 is developable. Lot 1 has a barn with more development land. Mr. O’Neill stated that they are only interested in subdividing it now. Lot 2 could accommodate a 5,000 square foot building that they are not proposing, that would meet the required wetlands setback and property line setbacks. Mr. Brodsky said that his concern is creating a lot purely on speculation and once the lot is created, it exists. Member Kasper inquired if the applicant could provide a sketch with a proposed dwelling located on the lot, and Mr. O’Neill stated that he could show how a proposed dwelling and septic system could fit on the lot. Mr. Brodsky

commented that this could provide an opportunity for the Planning Board to determine a building envelope for the lot. Member Kasper suggested that the town highway superintendent should provide comment regarding a potential driveway onto the lot. Member Winkelman inquired why the federal and state wetlands are different sizes and Mr. O'Neil stated that they have different criteria for determining the wetland boundaries. The board will perform a drive by site visit.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Kasper to schedule a public hearing. on *Tuesday, November 17, 2020 at 6:30 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan- Subdivision

Applicant: Tim Green/owner Loveless Farm Development Property: 2783 West Lake Rd
1194 Greenfield Lane West side 051.-02-18.1
Skaneateles, New York 13152

Present: Jeff Davis, Legal Representative;

The subdivision was approved on March 19, 2019 with a six-month time period to file the map with the county. The map was not filed in that time and the approval has lapsed. The application is for the same open space subdivision that was approved in 2019 that consists of four residential lots and one conservation lot with three existing barns.

A dwelling is under construction on lot 4 as if the subdivision filing had been completed. The road identified on the plan is installed and the retention basin ponds are under construction. It was not discovered that the map had not been filed with the county until they went to solidify the mortgage for the dwelling under construction on lot 4, and the bank said that it is a 30-acre lot.

Counsel Molnar informed that board that he had reviewed all the documents with Mr. Davis with the last subdivision approval and all the documents were in full and final form. Chairman Southern inquired if a public hearing would be required as they had a public hearing with the last approval and received input from the public. Counsel Molnar recommended that a public hearing is required for a subdivision and should be conducted for this application. Mr. Camp stated that from an engineering standpoint, the plans have not changed, and it would be unnecessary to re-review the plans. Member Kasper inquired if Mr. Camp should go out to inspect, and Mr. Camp stated that he could do that. Mr. Davis said that the pond is under construction and is scheduled to be completed in a week.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Winkelman to schedule a public hearing on *Tuesday, November 17, 2020 at 6:40 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Continued DEIS Review – 9 Lot Subdivision

Applicant: Emerald Estates Properties, LP Property:
Skaneateles, New York 2894 East Lake Rd
Skaneateles, New York
Tax Map #036.-01-37.1

Present: Don Spear, Applicant; Robert Eggleston, Eggleston & Krenzer Architects; John Langey, Costello Cooney & Fearon, PLLC; Rudy Zona, RZ Engineering;

Counsel Molnar stated that the board had received comments and adjustments to the DEIS that came through on October 14th. In addition, there have been adjustments to the appendices in the Dropbox that are

associated with the DEIS that was updated today. He recommended the Planning Board set this application at the November meeting to allow time for the board to review the DEIS re-submission, compare it against the prior version, review the adjusted appendices, and then be able to make a decision on the completeness of the DEIS for purposes of publishing and notice of complete DEIS. He recommended that the applicant give an overview of the changes of the DEIS and appendices.

Mr. Langey said that Read Spear is prepared to update the board on the changes. Read Spear stated that they had accepted all the changes to the document that were suggested. The only adjustments to Dropbox were for exhibit 4, there was a piece of correspondence associated with the EDR document and a minor piece of correspondence in exhibit 8. He continued saying that in regard to the document sent last week, the only thing left to be done is to have a discussion with the current fire chief which he has declined to do and update the table of contents.

Chairman Southern requested that Counsel Molnar review the re-submission to verify that all the changes are in accordance with the board discussions. Counsel Molnar recommended that the application be placed on the November 17, 2020 meeting agenda and the applicant agreed. Chairman Southern confirmed the application be placed on the November 17, 2020 agenda.

Extension Request-Minor Special Permit/Site Plan Review

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|-----------|--|---|
| Applicant | Michael & Stacey Drake Norman Cay Holdings LLC 3657 Fisher Rd Skaneateles, NY 13152 | Property: 697 West Genesee St Skaneateles, NY 13152 Tax Map #047.-01-37.0 &047.-01-36.0 |
|-----------|--|---|

Present: Michael & Kristen Drake, Applicants; Robert Eggleston, Eggleston & Krenzer Architects

The applicant is requesting a sixty-day extension of the lot line adjustment that was granted on September 17, 2019. They are waiting for the finalization of the septic easement language that has now been placed on the map. A final plat plan has been forwarded to the OCDOH showing the septic easement. The putt-putt septic system will be on the neighboring lot. They anticipate having the written approval from the OCDOH so that the maps will be ready to sign in a week or two.

WHEREAS, a motion was made by Member Kasper and seconded by Member Hamlin, the Planning Board recalled that it conducted a SEQRA review of the proposed Lot Line Adjustment and Major Special Permit on September 17, 2019 as a Type II action not subject to further environmental review, which prior determination was adopted by the Planning Board in consideration of this Extension Application. 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 seconded by Member Douglas Hamlin and after an affirmative vote of all Members present, the Skaneateles Planning Board **APPROVES** the Extension Application for an additional sixty (60) days, with the following conditions:

1. That the original Site Plan and Construction Narrative approved for the Project shall be followed in all respects for the construction of buildings and improvements on the Property not otherwise completed to the date hereof, and that the Approving Resolutions of the Planning Board be followed in all respects, extended hereby for an additional sixty (60) days.

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- Special Permit/ Site Plan Review

| | |
|---------------------------|---------------------------------|
| Applicant: | Property: |
| Kelly Scalzo | 2803 East Lake Road |
| 7108 Thorntree Hill Drive | Skaneateles, NY 13152 |
| Fayetteville, NY 13066 | Tax Parcel #038.-01-18.0 |

Present: Kelly Scalzo, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

Mr. Eggleston began saying that the board had approved major alternations of the property earlier this year, with the only thing outstanding was what was going to occur at the boathouse. They were retaining the lower level of the boathouse and determining what may be done with the bank and the seawall. In the two months they had in the reconsideration of the boathouse, they opted to re-design the dwelling.

The dwelling has been modified to have twin gables, and the footprint has been increased by 20 square feet. As a result, the application is for redevelopment and the applicant is reducing the impermeable surface coverage of the lot. The right-hand side of the dwelling is the functional side, and the left side of the dwelling will have a lofted ceiling. The patio to the north will be replaced with a deck that will come off the center of the house.

The lower boathouse would be removed and a free-standing 168 square foot deck on piers will be in its place. Shoreline structures have been reduced from 1,200 square feet to 600 square feet. There will be some grading and planting at the bank. They will maintain the driveway by the house but have removed the turnaround on both sides. The concrete pad along the garage will be removed and the bio-swales have been re-sized due to the reduction in impermeable surface coverage. The footprint of all structures has been reduced from 13.7% to 12.3%. The potential living space has been reduced from 14.5% to 14.1%. The impermeable surface coverage will be reduced from 29.5% to 18.8%, with a payment into the DRA fund of \$34,010.18.

Member Marshall inquired that although she appreciates the reduction is the driveway, would the applicant be able to safely exit the property. Mr. Eggleston stated that if a vehicle pulls into the garage they would back out towards the dwelling. If the vehicle goes to the dwelling, then it would back out into the driveway by the garage before existing the property. Member Kasper inquired on the width of the driveway to the house and Mr. Eggleston said that it would be 10-11 feet wide. Mr. Camp commented that from an engineering and lake quality perspective, this plan is more appealing than the previous plan.

WHEREFORE, a motion was made by Member Marshall and seconded by Chairman Southern to schedule a public hearing on *Tuesday, November 17, 2020 at 6:50 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan –Special Permit/Site Plan Review

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|------------------|---------------|
| Applicant: | Property: |
| Dawn Altmeyer | 2530 Wave Way |
| 161 Avriel Drive | |

Fayetteville, NY 13066

Skaneateles, New York
Tax Map #054.-04-07.0

Present: Robert Eggleston, Architect;

The applicant is requesting approval of the site plan like that which was approved in 2018 for a detached garage with living space above and modifications to the walkways. This property is the applicants year-round dwelling, and she would like a garage for winter. Between the prior approval and today, a retaining wall and second shed were added to the property. The original shed will be replaced with the new shed. The other modification is that there are two bio swales to replace the rain garden that was proposed at the end of the driveway. The bio-swale is split so that when an individual steps off the deck, you are not walking into the bio-swale. Roof gutters will drain to the south bio swale and the driveway will naturally drain with a berm along the north property line to direct the water into the bio swale, treated, then released down by the shoreline. There will be a payment into the DRA fund of \$31,029.03 for the impermeable surface coverage of 18.1%. There is no intention of converting the bonus space above the garage into an accessory apartment; it will be a recreation/bonus room that will house exercise equipment.

Member Kasper inquired why the garage was not attached to the dwelling in the original plan and Mr. Eggleston stated that there is a severe difference in grade in the area. If the garage were attached, the driveway would be in alignment with the second story of the dwelling. Member Winkelman inquired if the proposed impermeable surface coverage was the same as proposed two years ago. Mr. Eggleston said that they started at 27.8% and the proposed coverage is very similar to what was proposed before. Site visits will be conducted independently.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Kasper to schedule a public hearing on *Tuesday, November 17, 2020 at 7:00 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan –Subdivision

Applicant: Terry Kotlarz
2851 Rickard Road
Skaneateles, New York
Tax Map #035.-04-29.1

Present: Robert Eggleston, Robert O. Eggleston Architect;

The applicant is requesting to re-subdivide the 30.4-acre parcel into two new lots with lot 1A at 21.3 acres and lot 1B at 9.1 acres. Lot 1A would be a flag lot with 60 feet of road frontage of unimproved lands, and lot 1B will contain the existing house, barn, and associated buildings. The intent of the subdivision is to provide a lot for a family member that will be continued to be farmed. There is a large pond on lot 1B and lot 1A has a smaller pond in the southeast corner of the lot.

WHEREFORE, a motion was made by Chairman Southern and seconded by Member Hamlin to schedule a public hearing on *Tuesday, November 24, 2020 at 7:10 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion.

Sketch Plan- Site Plan Review

Applicant: Steve Johnson
72 Cloudview Rd
Sausalito, CA 94965

Property: 1729 Russell's Landing
Skaneateles, NY 13152
Tax parcel #063.-03-01.0

Present: Robert Eggleston, Robert O. Eggleston Architect;

The applicant received site plan approval to redevelop the property and the construction is underway on the dwelling and studio. The stairway to the lake is in poor shape, and they would like to replace and relocate the stairs further northwest to connect with the dock that is partially on land. The dock will be raised 1 and ½ feet on six piles that will enclose the existing crib dock. New stairs would be added from the cottage and the studio has been pushed southward. There are slight modifications to the retaining wall by the house. Mr. Camp inquired if there will be any excavation for the stairs or dock and Mr. Eggleston replied no, the stairs will float above the bank resting on piles and foundation landings at the top and bottom of the stairs. The steps between to two buildings would be set into the grade using timber and stone. Member Winkelman asked on the status of approval from the State for the dock and Mr. Eggleston said that it will be a no jurisdiction request. The application will continue at the November 24, 2020 meeting.

Modification Request-Minor Special Permit/Site Plan Review

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|-----------|--|---|
| Applicant | Eireann & Patrick Govern PO Box 922 Jordan, NY 13080 | Property: 2815 East Lake Rd Skaneateles, NY 13152 Tax Map #038.-01-16.0 |
|-----------|--|---|

Present: Eireann & Patrick Govern, Applicants; Robert Eggleston, Robert O. Eggleston Architect;

The applicant received site plan approval to redevelop the property. There are small modifications to the approved site plan with the bio-swale redesigned so that it is broader and less deep with three underdrains. The bioswale will be six inches deep and larger rather than the prior design that would be eighteen inches deep and smaller. The other change is the driveway reshaped for a better turnaround in that location, with the impermeable surface coverage remaining as approved. Mr. Camp said that he had no issues with the changes to the bioswale; he continued saying that there is a substantial structure down at the lake. Mr. Eggleston commented that the permanent dock with roofed boat hoist is in State jurisdiction that has been reviewed by the NYSDEC and NY SOGS. Mr. Eggleston stated that the state only owns to an elevation of 860 feet and they are not out that far. Mr. Camp stated that the town was able to comment on a structure in the water for a property that proposed a structure on the lake. Mr. Eggleston said that it did not happen here as the structure is not in OGS territory. Counsel Molnar stated that the State has jurisdiction for everything from the high-water mark down and Mr. Eggleston disagreed. Mr. Eggleston said that the State has jurisdiction from the high water down and OGS only gets involved when it is at an elevation of 860 feet (mean low water level) or less. He continued saying that he was not involved with the permitting process as Mr. Estlinbaum was, and they received a no jurisdiction letter from OGS since it did not meet the mean low water level. Mr. Camp said that this is not relative to the application but that these structures could change the character of the lake. Counsel Molnar stated that the town(in conjunction with other towns) petitioned the State to obtain jurisdiction of the lake to regulate improvements is pending at the capital.

WHEREAS, a motion was made by Member Marshall and seconded by Member Hamlin, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes a TYPE II single family residential project action, not subject to further SEQRA review. The Board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Douglas Hamlin, seconded by Member Scott Winkelman, and upon an affirmative vote thereon as recorded below, the Town

of Skaneateles Planning Board hereby **APPROVES** the Amendment Application, and amends the Approving Resolution, as follows:

1. The Site Plan 1 of 1, dated September 29, 2020, prepared by Robert Eggleston, Licensed Architect be strictly followed; and
2. Except as amended hereby, the conditions of the Approving Resolution remain in full force and effect.

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] |

Modification Request

Applicant: Richard Moscarito
120 Madison Street
Chittenango, NY 13037

Property:
2699 East Lake Road
Skaneateles, NY 13152
Tax Map #037.-01-04.0

Present: Robert Eggleston, Architect;

The applicant is requesting approval for additional modification for the retaining wall on the east side of the dwelling, and they would like to replace the 170 square foot deck on the lakeside of the house with a slightly larger patio that will increase in size from 176 square feet to 240 square feet. Member Winkelman inquired on the status of the dwelling and Mr. Eggleston said that house is under construction; the retaining wall may have already been constructed. The retaining wall area in front of the house will be planted. Member Kasper inquired if the work has been completed on the seawall and Mr. Eggleston confirmed that it has.

Member Marshall inquired if the neighbors are concerned with the requested modifications and Mr. Eggleston said that the neighbors did not want anything built on the lot. Member Winkelman said that the neighbors were concerned with it being rented out on a weekly basis. Counsel Molnar reminded the board that this property and project was the subject of an article 78 where the Planning Board was sued concerning its approval of the special permit and site plan. After litigating it, the town received confirmed approval of the court.

WHEREAS, a motion was made by Member Marshall and seconded by Member Kasper, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes a TYPE II single family residential project action, not subject to further SEQRA review. The board having been polled resulted in the unanimous affirmation of said motion.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Donald Kasper, seconded by Member Douglas Hamlin, and upon an affirmative vote thereon as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application, and amends the Approving Resolutions, as follows:

1. The Site Plan 1 of 6 dated September 28, 2020, prepared by Robert O. Eggleston, Licensed Architect, with Patio and Drainage Plans C-1 dated August 10, 2020 prepared by Rudy Zona, Licensed Engineer be strictly followed; and
2. Except as amended hereby, the conditions of the Approving Resolutions remain in full force and effect.

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] |

Discussion

Mr. Camp had submitted a letter to the town regarding the fire flow test results completed after the village water improvements. Mr. Camp noted that the Skaneateles Springs final signature will be the OCDOH as they are the ones that must approve that water connection.

Discussion

Member Hamlin requested the Counsel Molnar provide additional guidance on the lake jurisdiction. The State of New York owns from the high-water mark down. Member Marshall commented that the aesthetic quality of the lake needs to be incorporated into our code.

WHEREFORE, a motion was made by Member Marshall and seconded by Member Kasper to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 8:15 p.m. as there being no further business.

Respectfully Submitted,
Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston

CJ Kotlarz

Don Spear
Marc Spear
Read Spear
Andy Ramsgard
John Langey
Rudy Zona
Bill Mahood
Alan Briggs
Jeff Davis
Chris Buff
Kelly Scalzo
B Goodell
Dawn's phone
Judy
Vera scope

Dorothy Krause
Paul Fuitak
Jack Severance
Mike O'Neill
Suzanne Nangle
Barb Delmonico
David Ketchun
Aaron Lasala
Amy Ryan
Mike Drake
Rob Howard
Courtney Alexander
David's iPad
Sherie's iPad