

**TOWN OF SKANEATELES  
PLANNING BOARD  
MEETING MINUTES  
December 20, 2022**

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

Chair Kasper opened the meeting at 6:30 p.m. The meeting minutes of November 15, 2022 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 Chair Kasper to approve the minutes as submitted. The Board having been polled resulted in the affirmance of said motion.

**RECORD OF VOTE**

Chair	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

**Public Hearing- Special Permit**

Applicant:	Card Mowing LLC	Property:	
	Nathan Card		
	4458 Jordan Rd		4440 Jordan Rd
	Skaneateles, NY 13152		Skaneateles, NY 13152
			<b>Tax Parcel #023.-02-24.0</b>

Present: Nathan Card, Applicant; Robert Eggleston, Eggleston & Krenzer Architects

An updated site plan was submitted that reflected spot grades to use to determine how the grading would occur. The proposed barn will be three feet below the existing barn and the storage bins will be four feet below the elevation of the existing barn, and this will allow the area drain towards the rock swale. With the building being set at a lower elevation, the wall would be covered by almost half reducing the visibility of the structure to the neighboring properties. There are a row of walnut trees and pines on the neighbor's property that will screen the building.

Member Winkelman commented that the size of the proposed barn is different, and Mr. Eggleston stated that it is wider and has been shortened to provide more space to maneuver vehicles.

**WHEREAS**, a motion was made by Chair Kasper and seconded by Member Holbein, the Planning Board recalled that it conducted a thorough SEQRA review of the Property in connection with the Applicant's Special Permit application on April 15, 2014, as well as the Special Permit and Site Plan application approved by the Planning Board on November 16, 2021 (collectively the "Prior Approval") which classified the prior actions as an Unlisted Action subject to review of the

Applicant's SEAF, after which the Planning Board issued its negative declaration, which prior determination was adopted by the Planning Board in consideration of this Special Permit Application. The Board having been polled resulted in the unanimous affirmation of said motion.

At this time, Chair Kasper opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chair Kasper 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.

**WHEREFORE**, a motion was made by Member Marshall and seconded by Member Winkelman 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 Member Douglas Hamlin and seconded by Chair Donald Kasper, and after an affirmative vote of all Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the minor special permit/site plan Application for expansion of the existing service business with the following conditions:

1. That the Special Permit shall expire if the Applicant fails to comply with the conditions stated herein within 18 months of its issuance, or if its time limit expires without renewal.
2. The Site Plan 1 of 2 through 2 of 2 dated December 1, 2022, and Narrative with Construction Sequence dated December 1, 2022, 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. 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; and
5. Except as amended hereby, the conditions of the Prior Approval resolutions remain in full force and effect.

**RECORD OF VOTE**

Chair	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

**Public Hearing Continuance- Special Permit**

Applicant	Joseph Mollendorf	Property:
	274 Ruskin Road	1801 Russell's Landing
	Amherst, NY 14226	Skaneateles, NY 13152
		<b>Tax Parcel #063.-03-10.0</b>

Present: Bill Murphy, Space Architectural;

The variances have been approved by the Zoning Board of Appeals. Chair Kasper inquired if the plans have changed since the last time the applicant was in front of the board. Mr. Murphy said that they are proposing

an open pile platform with an open pile dock to allow the wave action to be natural. The shoreline is natural with no seawall and the deck will be squared off. He continued saying that he had done some investigation regarding the depth of the water and the proposed dock and determined that the navigable water is at four feet at the last ten feet of the proposed dock with the length of the dock measuring at 52 feet from mean high water. The depth was determined by the mean high and low water levels. The lake is shallow and gradually gets deeper due to the shale and rock that has come from the bank. Counsel Molnar stated that these facts were also presented to the Zoning Board who approved the related variances. Mr. Brodsky inquired on the total shoreline structures proposed and Mr. Murphy stated that the total is 995 square feet including the staircase, deck, and dock. Member Winkelman inquired on the allowed shoreline structures based on lake frontage and Mr. Brodsky explained that the codes allows 400 square feet of total shoreline structures for this lot.

At this time, Chair Kasper opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chair Kasper asked if there was anyone wishing to speak in opposition or had any other comments. Dessa Bergen, 1448 Old Seneca Turnpike, inquired if there was a structure on the dock and Mr. Murphy said that there is an existing shed on the deck that will be replaced. There are no plans for a covered boat slip.

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

Member Marshall inquired if the neighbors have permanent docks and Mr. Murphy said that the neighbor to the north has a large seawall with a long temporary dock. The neighbor on the south has a permanent dock that is closed on the sides creating a shale beach, and they add temporary dock sections to the permanent dock to extend it further. Chair Kasper asked about the sequencing of the project and Mr. Murphy explained that they will start with the waterfront and work their way back to the excavation for the basement to the house as the last phase of the project.

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made Chair Donald Kasper and seconded by Member Jill Marshall, and after an affirmative vote of a majority of Members present, as recorded below, the Town of Skaneateles Planning Board hereby **APPROVES** the Application for minor site plan approval, with the following conditions:

1. That 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.
2. That the Site Plan Z-1 through Z-3 dated October 26, 2022, with Narrative dated August 31, 2022, prepared by William Murphy, Licensed Architect, be followed in all respects; 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 all conditions imposed by the Skaneateles Zoning Board of Appeals, in connection with its approved variance, be fulfilled; and
5. That an as-built survey be submitted to the Codes Enforcement Officer with verification of conformance of all phases of the completed project within (60) days of completion of the project.

**RECORD OF VOTE**

Chair	Donald Kasper	Present	[Yes]
Member	Douglas Hamlin	Present	[Yes]
Member	Scott Winkelman	Present	[Yes]
Member	Jill Marshall	Present	[Yes]
Member	Jonathan Holbein	Present	[Yes]

**Continued Review– Special Permit**

Applicant: TJA-NY-Skaneateles Solar Farm LLC  
Gordan Family Benefit Trust Property:  
150 John Vertente Blvd 740 Sheldon Road  
New Bedford, MA02745 Skaneateles, NY 13152  
**Tax Parcels #023.-05-01.1 & 024.-01-34.0**

Present: Michael Frateschi, Applicant; John Li, Bergmann Architects;

There have been minor changes to the landscaping on the western portion of the site. There is existing vegetation that runs along the western end of the site; however, there is additional landscaping proposed for better screening with evergreen vegetation during the fall and winter months. On the east side of the property the landscaping has been moved to be along the border of the fence to allow the neighbor to enjoy the wildlife. All upland areas will be stabilized with a seed mix to assist with runoff that has been occurring from the corn that has been planted. There will be another swale added to the south to the detention pond to capture stormwater from one of the ravines on the east side. This will act as a buffer to help control runoff that the neighbor has been experiencing.

The connection to the power lines through the easement on the site at the northern end of the property has the interconnection to the array, with the access road shifted to align with the last utility pole. A website is being developed for the project that will be available before the public information hearing. The applicant requested that it is added to the public notice as well.

Chair Kasper inquired about the telephone easement on the property. Mr. Frateschi said that the easement that runs east/west can be abandoned with an affidavit after they have verified the company they need to reach out to. Chair Kasper said that in regards to landscaping, the trees should be 7-8 feet tall when they are planted rather than a shorter height. Mr. Frateschi stated that it should not be a problem as they are planting evergreens on the west side; the east side will have willows to assist with the drainage issues. They will provide a species list to the board before the public information meeting. They could do native species such as sumac, dogwood, and shrubby types of vegetation. Chair Kasper reiterated that the height should be eight feet to allow for good growth and screening.

Member Marshall asked about planting underneath the arrays and Mr. Frateschi said they will be a seed mix of local pollinators that is a slow grow mix that would be mowed twice a year to minimize shading on the panels.

Chair Kasper commented that there is a drainage ditch with pipes in the wetlands area with a pond fifty feet away that was from the old airfield that was in the area. Member Marshall asked if fewer trees could be removed from the woods and Chair Kasper said that it is not in the forested area as you would think and may comprise only a couple acres. Mr. Frateschi said that during the site visit walk through it was noted that there is not a lot of valuable timber in the area that is flat. Moving the arrays further east would impact the visual impact of the neighbors.

**WHEREFORE**, a motion was made by Member Marshall and seconded by Member Holbein to schedule a public information meeting on *Tuesday, January 17, 2023 at 6:30 p.m.* The Board having been polled resulted in the unanimous affirmation of said motion

Counsel Molnar commented that the information meeting will be helpful to the board for the SEQR process. He has notified the interested agencies and received word back from the ZBA and Town Board for reply.

**Sketch Plan- Site Plan Review**

Applicant	Frederick E Midler Jr Trust Catherine Stanard 24 Edgemere Dr Trophy Club, TX 76262	Property: 1254 Greenfield Ln Skaneateles, NY 13152 <b>Tax Parcel #053.-01-10.0</b>
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Present: Robert Eggleston, Eggleston & Krenzer Architects

This property has been in the family for a few years. Their concern is that the bank is collapsing behind the shed at the bottom of the bank. Spot point elevations have been provided on the site plan as they are only looking to replace structures in kind and not increase the square footage. The bank is well vegetated and there is erosion in the stairs and landing, with the shed on the landing being pushed towards the lake. The steel stairs will remain with the treads replaced and the shed rebuilt. The retaining wall behind the shed will be constructed with steel piles and 6x6 timber behind it with stone and drainage. There will be a new steel platform to locate the shed and the steel platform will provide lateral stability to the base of the steel pile wall. There will be a concrete pad for the landing of the stairs with the stairs connected. and rebuilding the shed in kind. There will be minimal excavation to strengthen the bank and provide a retaining wall where there is no wall today. The wall will be one foot above the grade and the top of the deck is ten feet in height. The shale that sluffs off the bank is accumulated behind the existing shed. There will be a two foot area to contain and shale that will be behind the proposed steel wall. A site visit will be conducted on January 2, 2023.

Chair Kasper inquired about the survey that reflects the property lines out into the lake. Mr. Eggleston said that since he had asked for spot grades on the property, the surveyor also determined the low water mark, and that the lake is very shallow. He continued saying that New York State property law goes to the low water mark, then perpendicular to the centerline of the lake. He would prefer that zoning and the NYSDEC use the same way to measure. Mr. Brodsky inquired if there is a method to determine the property lines into the lake that does not require a surveyor. Mr. Eggleston said that he has been advocating for one agreed upon centerline of the lake. He said that what happens is that different results are based on who is doing the determination. It would be \$5,000-10,000 to have a surveyor determine the centerline of the lake.

**Sketch Plan- Site Plan Review**

Applicant	David Heymsfeld 511 Kramer Drive Vienna, VA 22180	Property: 2139 Lakeview Ln Skaneateles, NY 13152 <b>Tax Parcel #057.-03-08.1</b>
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Present: Robert Eggleston, Eggleston & Krenzer Architects

The applicant recently acquired the property that is 1.4 acres with a conforming ranch house. They are proposing the removal of the existing screened porch and deck with a larger enclosed porch and deck. The

existing chimney will be removed and the existing impermeable stone patio will be re-laid with the proper stone spacing to make it a permeable patio. Impermeable surface coverage will be reduced from 8.1% to 6.1% and total lot coverage will remain at 8.4%. There are two existing garages, and they will be converting one garage to living space. There will be no excavation of the foundation and the septic field is away from the proposed modifications. A site visit will be conducted on January 2, 2023.

### **Merger Request**

Applicant: Tim & Linda Potter  
1959 Weeks Rd  
Skaneateles, New York  
**Tax Map #059.-01-12.1 and 059.-01-12.2**

The applicant is requesting the merger of his two adjoining properties with one of the lots consisting of vacant land.

**WHEREFORE**, a motion by Chair Kasper and seconded by Member Winkelman to notify the Town of Skaneateles Tax Assessor that this Board has no objection to the request of Tim & Linda Potter to merge tax parcels 059.-01-12.1 and 059.-01-12.2 into one tax parcel.

### **Discussion**

The Planning Board 2023 schedule was accepted by the board.

### **Discussion**

#### **Solar discussion suggestion and comments:**

Saturation of sites should be considered with the possible addition of a clause that would state “To prevent the oversaturation of community solar projects in one area of the Town of Skaneateles, no community solar project shall be approved if it is within one mile of an already approved community solar project unless the reviewing board makes specific findings that it would not have a significant impact on the community character of the area.” This would allow flexibility for neighborhood projects to support a smaller subdivision. Mr. Brodsky explained that the code was written to try to anticipate improvements in technology. Large satellite dishes for television have been replaced so that television can be streamed through the internet.

Clear cutting of trees should be addressed although it is addressed in site plan review and through SEQR.

Required plant species should not be specified in the code so that it would provide more flexibility for the board to have it based on the site itself; however, the code could encourage what type of plants are desired and the board could have the vegetation plan provided with the application that would include pollinators. Mr. Eggleston commented that it would be helpful for future applicants to have guidelines so that time is not wasted by the applicant and board.

Chair Kasper recommended that 2,000 – 3,000 feet setback to the lake for community solar arrays should be considered. Mr. Camp stated that a solar array is environmentally better than farm fields by the lake that till the soil and use fertilizers and pesticides. Chair Kasper commented that the aerial photos of the lake would show the solar arrays, and it would have an aesthetic impact to tourism. Big solar arrays could be broken up to reduce the impact of massing. This may impact the amount of land coverage allowed for community solar arrays. Chair Kasper queried if you can justify screening a solar panel 100% but not a house 100%. Member Marshall said that her concern is sitting on a dock and looking at the existing farm fields being covered with solar panels that cannot be screened 100%. Mr. Brodsky said that the board could

investigate that by going across the lake as part of their review of any application. Mr. Camp commented that a photo simulation can present the visual impact of a solar array from various vantage points, although he recommended that the board should keep in mind that it is difficult to make decisions until some of these solar arrays are installed. Mr. Eggleston said that 150 years ago there were no utility lines, and now we don't even see them. The board felt that the approved project on West Lake Road was a good project for comparison for future solar array projects.

Member Winkelman asked Mr. Camp if he had a chance to contact National Grid to determine capacity of the leader lines in Skaneateles. Mr. Camp explained that the town has no control over National Grid leader line capacity. Before an applicant submits paperwork to the town they have to submit a CESIR request to National Grid to determine the capacity available for the potential solar array. National Grid does a study to determine what capacity would be available for the applicant and the town has no control on their decision. Member Winkelman said that it is a limiting factor on how many can go in although National Grid could increase their capacity in the future. Mr. Camp said that the town will not have influence over what National Grid does. He continued saying that an applicant can upgrade the lines and the substation to obtain greater capacity for larger utility systems that usually comprise hundreds to thousands of acres. Mr. Brodsky commented that the State may be encouraging National Grid and other entities to improve their capacity to meet the set objectives.

**WHEREFORE**, a motion was made by Chair Kasper and seconded by Member Winkelman to adjourn the meeting. The Board having been polled resulted in the unanimous affirmance of said motion. The Planning Board Meeting adjourned at 8:03 p.m. as there being no further business.

Respectfully Submitted,

Karen Barkdull, Clerk

Additional Meeting Attendees:

Robert Eggleston      Dessa Bergan      Nathan Card

Additional Meeting Attendees (Zoom):

Mike Frateschi      Mark Tucker      David Heymsfeld