

**Town Board Meeting  
September 25, 2023  
6:30 p.m.**

**ZOOM meeting id#: 832 7291 5922 Password: 081953**

**Present:** Supervisor Aaron, Councilor Alexander, Councilor Tucker, Councilor Legg, Councilor Dove.

**Also, Present:** Lori Milne, Mike Major, Diana O'Brien, Richard O'Brien, Steve Peknoski, Jodi Tate, Finn Tate, Eric Sell, Patrick Scott, Walter Benson, Kathy Beyers, Jim Beyers, Alan Mathelis, Bob Eggleston, Howard Brodsky, Mary Menapace, Dessa Bergan, Jennifer Coughlin, Ian Carroll, Bill Mahood, Micki Mahood, Mark Potenzo, Jackie Keady.

**Also, Present (via Zoom):** Sue Murphy, Jason Gabak (Skaneateles Press), Keri Fey, Sue Murphy, Karen Barkdull, Holly Gregg, Paula Powell, Aimie Case, Brian Buff, Matt Major.

**Minutes August 7, 2023:** On a motion of Councilor Dove, seconded by Councilor Alexander, and with a (5-0) affirmation of the Town Board, the minutes of September 11, 2023, were accepted as presented.

**Budget Amendments: None**

**Abstract #23-13:** On a motion of Councilor Dove, seconded by Councilor Alexander and with unanimous (5-0) affirmation of the Town Board vouchers #22-0864 - #22-0951 were authorized from the following funds:

General Fund:	\$ 65,935.47	Highway:	\$ 6,118.00
Water:	\$ 1,105.34	Part Town:	\$ 3,377.40
T&A:	\$ 1,361.38	Highway PT:	\$ 91,275.63
Sewer:	\$ 25.79		

**TOTAL: \$ 169,199.01**

**Introductory Local Law H of 2023 “Town of Skaneateles Occupancy Tax” :** Supervisor Aaron stated the Town Board by resolution requested the New York State Senate and Assembly to allow the Town of Skaneateles to impose an occupancy tax. Both the Senate and Assembly approved the request to charge a 5% occupancy tax on any persons occupying any room for hire in any short-term dwelling unit located within the Town of Skaneateles. This became effective immediately through December 31, 2025, at that time it would have to be reconsidered for renewal.

Supervisor Aaron stated this Introductory Local Law H of 2023 “Town of Skaneateles Occupancy Tax” is being introduced and a public hearing would need to be scheduled.

Attorney Smith stated the law would be available to the public and a public hearing needed to be scheduled.

Councilor Legg clarified that this local law only applies to properties within the Town. The Board agreed to the following resolution with the amendment that stated it would only apply to properties within the Town of Skaneateles.

On a motion of Councilor Dove, seconded by Councilor Alexander, and with a (5-0) affirmation of the Town Board, the Town Board introduced Local law H of 2023 “Proposed Local Law Relating to the Implementation and Assessment of an Occupancy Tax in the Town of Skaneateles, with the amendment of including a “Whereas” clause clarifying the law would only apply to properties in the Town, not the Village, and scheduling the Public Hearing for October 16, 2023 at 7:00 p.m.

The following resolution was approved by the Town Board:

**RESOLUTION  
OF THE TOWN BOARD  
OF THE TOWN OF SKANEATELES**

**Proposed Local Law Relating to the Implementation and  
Assessment of an Occupancy Tax in the Town of Skaneateles**

**WHEREAS**, pursuant to Municipal Home Rule Law Section 20(4) and Tax Law Section 1202-hhh, Board Member Alexander has introduced for consideration Local Law H of 2023 entitled “A Local Law Relating to the Implementation and Assessment of an Occupancy Tax in the Town of Skaneateles” (the “Proposed Local Law”); and

**WHEREAS**, the purpose of the Proposed Local Law is amending the Town Code of the Town of Skaneateles to impose five percent (5%) occupancy tax upon persons occupying any room for hire in any hotel located within the Town; and

**WHEREAS**, the Town has identified such an occupancy tax as a potential means of offsetting additional costs in providing various Town services including, but not limited to, maintaining Town parks, and providing DPW and sanitation services, incurred by the Town as a result of its popularity as a tourist destination; and

**WHEREAS**, the proposed occupancy tax will aid the Town in ensuring that Town services are provided in a fiscally responsible manner and that the costs and expenses associated therewith are equitably distributed among the Town’s taxpayers, and promote the betterment of the health and well-being of the Skaneateles community; and

**WHEREAS**, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”), with respect to the adoption of the Proposed Local Law; and

**WHEREAS**, the proposed Occupancy Tax would only be assessed on properties within the Town of Skaneateles, not the Village of Skaneateles; and **(Amendment 9/25/2023)**

**WHEREAS**, the Town desires to comply with the requirements of the New York Town Law and the New York Public Officers Law and shall schedule a public hearing to allow the public to comment on the Proposed Local Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board will hold a public hearing on October 16, 2023, at 7:00 p.m. to hear all persons interested in the Proposed Local Law and to consider the adoption of the Proposed Local Law; and

**BE IT FURTHER RESOLVED** that the Town Board hereby classifies the Proposed Local Law as a Type II Action under SEQRA involving the “adoption of regulations, policies, procedures and local legislative decisions” as set forth in Section 617.5(c)(33) of the Regulations; and

**BE IT FURTHER RESOLVED** that the Town Clerk shall cause notice of such a public hearing to be published in the official Town newspaper in accordance with all legal requirements.

The adoption of the foregoing Resolution was moved by Councilor Alexander, seconded by Councilor Legg, and duly put to vote, which resulted as follows:

Janet Aaron	Voting	Aye
Courtney Alexander	Voting	Aye
Sue Dove	Voting	Aye
Chris Legg	Voting	Aye
Mark Tucker	Voting	Aye

The resolution was thereupon declared duly adopted.

**Troop 61 Eagle Scout Project:** Boy Scouts, Finn Tate and Patrick Scott presented their Eagle Scout Project to the Town Board. They stated they had been working with the Conservation Committee on replacing the old bridges over a section in the Conservation Area and add an observation deck.

Councilor Alexander stated this bridge was originally constructed years ago for an Eagle Scout Project and they are thankful to the scouts for doing these projects for the Town to enjoy. The

Conservation Committee is fully behind these projects. They had been working closely with Matt Leveroni, Chair of the Conservation Committee and she was very impressed with these scouts' dedication.

Finn Tate and Patrick Scott stated they would be working with Troop 61 and the project should be completed in 1 day with Troop 61's help. There should be about 20 scouts to help. They had scheduled the project for October 21<sup>st</sup>.

They stated they would be purchasing the supplies at Ace Hardware with the Town's account. And, they are working with a local design professional to design a plaque to be installed on the observation deck.

Supervisor Aaron thanked the Boy Scouts and the Conservation Committee for moving forward with this project at the Town's Conservation Area.

On a motion of Councilor Alexander, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board, the Board approved the project to replace the bridge and add an observation deck at the Town of Skaneateles conservation Area as presented by Finn Tate and Patrick Scot, Troop 61, for their Eagle Scout project.

**6:45 p.m. Public Hearing Introductory Local Law G of 2023 "A Local Law to Abolish the Position of Tax Collector":** Supervisor Aaron stated the Town Board is introducing Local Law G of 2023 to abolish the Tax Collector Position. Lori Milne, the Town's current Tax Collector, is running for Town Counselor, and she has no opposition. Lori had been the Tax Collector for over 25 years and her mother, Marion, was Tax Collector before her. This is a good time to consolidate two departments by moving the duties of Tax Collector to the Town Clerk. This will make it easier for people, with more hours to pay their taxes and be a cost savings for the Town.

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

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

Supervisor Aaron stated that if the Board adopted Introductory Local Law G of 2023 to abolish the position of Tax Collector it would require a mandatory referendum, a town wide vote, before it could be finalized.

No one commented.

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

Attorney Smith reviewed the Local law and the resolution to adopt the Local Law. This is different since it has the additional step of scheduling a mandatory referendum open to the public. Pursuant to New Yor Municipal Home Rule Law section 23 the public would need to adopt the referendum.

Supervisor Aaron stated the Board would like to schedule the mandatory referendum for December 12, 2023, from 12:00 noon – 8:00 p.m. This is the same date as the Fire Department elections. If the Board agrees the Board could adopt the resolution and schedule the mandatory referendum. The Board adopted the following resolution:

**RESOLUTION  
OF THE TOWN BOARD  
OF THE TOWN OF SKANEATELES**

**Proposed Local Law Relating to the  
Abolition of the Office of Tax Collector**

**WHEREAS**, pursuant to New York State Town Law Section 26, Board Member Dove has introduced for consideration Local Law No. G of 2023 entitled “A Local Law to Abolish the Position of Tax Collector” (the “Proposed Local Law”); and

**WHEREAS**, the purpose of the Proposed Local Law is intended to abolish the elected position of Tax Collector created by New York State Town Law Section 35, and is further intended that the duties of the Tax Collector will be assumed by the Town Clerk pursuant to Town Law Section 36; and

**WHEREAS**, the Tax Collector shall surrender and deliver to the Town Clerk all assessment rolls, books, papers, writings and all other documents and property in her possession as such officer; and

**WHEREAS**, it shall thereafter be the duty of the Town Clerk to collect and receive all state, county and town taxes and assessments that may be levied, and the Town Clerk shall have all the powers and be subject to all the duties of a collector with respect to the collection of such taxes, the deposit of receipts and the return of unpaid taxes; and

**WHEREAS**, the Town Board has elected to abolish this office by using the procedure set forth in Municipal Home Rule Law Section 23, and thus, shall require a mandatory referendum by the voters to effect this change to the law; and

**WHEREAS**, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”), with respect to the adoption of the Proposed Local Law; and

**WHEREAS**, by resolution dated September 11, 2023, the Town Board classified the Proposed Local Law as a Type II Action under SEQRA involving the “adoption of regulations, policies, procedures and local legislative decisions” as set forth in Section 617.5(c)(33) of the Regulations; and

**WHEREAS**, following publication of notice in accordance with all legal requirements, the Town held a public hearing concerning the Proposed Local Law on September 25, 2023, in satisfaction of the requirements of the New York Town Law and the New York Public Officers Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby approves the Proposed Local Law for submission for a mandatory referendum; and

**BE IT FURTHER RESOLVED** that the Town Clerk is authorized and directed to submit the required documentation to the Onondaga County Board of Elections for a mandatory referendum on the Proposed Local Law to be held on December 12, 2023, and to arrange for the publication of all notices required by law; and

**BE IT FURTHER RESOLVED** that, upon approval by the Town’s electors, the Proposed Local Law shall be designated as Local Law No. 7 of 2023; and

**BE IT FURTHER RESOLVED** that the Town Clerk shall cause the Proposed Local Law to be filed with the Secretary of State within twenty days after its approval by the Town’s electors.

The adoption of the foregoing Resolution was moved by Councilor Dove, seconded by Councilor Legg, and duly put to vote, which resulted as follows:

Janet Aaron	Voting	Aye
Courtney Alexander	Voting	Aye
Sue Dove	Voting	Aye
Chris Legg	Voting	Aye
Mark Tucker	Voting	Aye

The resolution was thereupon declared duly adopted.

Supervisor Aaron reviewed the estimated cost the Onondaga County Board of Elections had provided to manage the election for this mandatory referendum. The cost would be around \$2,500 - \$3,000.

On a motion of Councilor Alexander, seconded by Councilor Tucker, and with unanimous (5-0) affirmation of the Town Board, the Board approved an amount not to exceed \$3,000 to conduct the mandatory referendum town wide vote to adopt Local Law 7 of 2023 “ A Local law to abolish the elected position of Tax Collector” and combine the duties of Tax Collector with the Town Clerk.

Supervisor Aaron thanked Town of Skaneateles Tax Collector, Lori Milne for her cooperation and her wiliness to work with the Town Clerk’s office for the transition.

**Introductory Local Law I of 2023 “A Local Law to Override the Tax Levy Limit”**: Supervisor Aaron stated New York State Property tax levy growth will again be capped at 2% for 2024 for

local governments that operate on a calendar-based fiscal year. The Tentative Budget is currently over that 2% increase. The Board is not sure if it will be over 2% when the budget is finalized, the goal is still not to exceed the tax cap, but it might have to happen so this is precautionary. The Town has done this in the past.

Supervisor Aaron stated Attorney Smith provided a draft Introductory Local Law I of 2023- “A Local Law to Override the Tax Levy Limit Established by Section 3-C of the New York General Municipal Law”. The Law requires the Town Board to adopt the Local Law by over 60% of the Town Board to allow for the tax levy to exceed the New York State tax cap .

Supervisor Arron stated the calculation for this tax cap is very difficult. This year’s amount allowed would barely cover the Town’s Teamster’s contract that we are obligated. Other items such as health insurance and fuel have increased, and these are items we have no control over. This is only if we exceed the 2% tax cap after the Board has completed their review of the 2024 budget.

On a motion of Councilor Alexander, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board, the Board scheduled a Public Hearing for October 16, 2023, at 7:15 p.m. regarding Introductory Local Law I of 2023- “A Local Law to Override the Tax Levy Limit Established by Section 3-C of the New York General Municipal Law.”

**Parks Department – Declare the 1998 LowPro as Surplus:** Supervisor Aaron stated the Parks Department had requested the Board to declare the 1998 Lowpro as surplus so it can be sold at auction.

On a motion of Councilor Dove, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board, the Board declared the Parks Department’s 1998 LowPro as surplus to be sold.

**King & King Parks Rendering:** Supervisor Aaron stated the Town Board had requested additional renderings of the proposed Parks Project. This additional rendering would include an additional 3D scope of the project. There is no additional fee at this time.

On a motion of Councilor Legg, seconded by Councilor Alexander and with unanimous (5-0) affirmation of the Town Board, the Board authorized additional renderings from King & King for the proposed Parks Project at no additional cost.

**Town of Skaneateles 2024 Tentative Budget – Schedule Public Hearing October 30, 2023:** Supervisor Aaron stated the 2024 Town of Skaneateles Tentative Budget had been received and filled in the office of the Town Clerk. The tentative budget is still a work in progress and there is more to do to prepare the preliminary budget for public hearings.

On a motion of Councilor Tucker, seconded by Councilor Alexander, and with a (5-0) affirmation of the Town Board, the Town of Skaneateles 2024 Tentative Budget was accepted.

**Schedule 2024 Budget Meetings:** On a motion of Councilor Alexander, seconded by Councilor Legg, and with a (5-0) affirmation of the Town Board, the following 2024 Budget Meetings were scheduled:

September 28<sup>th</sup> 4pm Water and Sewer  
October 12<sup>th</sup> 4pm HWY @ 5pm Parks/ Conservation Area  
October 16<sup>th</sup> 5pm Transfer Station

**Schedule Public Hearing 2024 Budget:** On a motion of Councilor Alexander, seconded by Councilor Legg, and with a (5-0) affirmation of the Town Board, The Town Board scheduled the 2024 Town of Skaneateles Budget Public Hearing on October 30, 2023, at 7:00 p.m.

**NY CLASS Fund Transfers:** Supervisor Aaron stated the Budget Officer Keri Fey has recommended the following reserve funds be transferred to NY CLASS:

General Fund Reserve: \$40,435.82  
HWY Reserve: \$2,382.71  
Fire Dist. Tax Stabilization: \$99,015.12  
Water Reserve: \$46.14  
Sewer Reserve: \$438.49

On a motion of Councilor Alexander, seconded by Councilor Dove, and with a (5-0) affirmation of the Town Board, The Town Board authorized the reserve fund transfers to NY CLASS as presented.

**7:00 p.m. Public Hearing Introductory Local Law F of 2023 “Shoreline Legislation” :** Supervisor Aaron stated the Town Board was in receipt of the Introductory Local Law F of 2023 “Shoreline Legislation”. Supervisor Aaron reviewed the timeline of this proposed legislation:

**November 3, 2021** Governor Hochul signed legislation granting the Town of Skaneateles jurisdiction for construction in navigational waters up to 1500 feet on Skaneateles Lake.

**December 7, 2021** in 2019 there was an operational group that consisted of Brody Smith, Scott Molnar, Howard Brodsky, and Karen Barkdull, that worked directly with the Town Board, Planning Board, and Zoning Board of Appeals to develop the zoning code draft. This group was also tasked in the same manner to revise the shoreline zoning code 148-7-1-K, to address the jurisdictional change. Continuous feedback was provided from all three boards and from the P&Z meeting held on March 5, 2022 regarding concerns about the lake. The group met on January 14, 2022, February 2, 2022, April 1, 2022, and April 20, 2022.

**May 2, 2022** Town Board introduced the draft shoreline legislation, and scheduled a public hearing for June 6, 2022



**June 6, 2022** Town Board Public Hearing, the meeting was continued on June 27, 2022.

**June 27, 2022** Town Board Public Hearing at the High School. Based on the feedback from the public with the draft legislation not meeting the expectations of the community, the Town Board withdrew the draft legislation and established a Shoreline Committee consisting of Mark Tucker, Don Kasper, Denise Rhoads, Brody Smith, Scott Molnar, Howard Brodsky, and Karen Barkdull to re-draft the legislation.

**July 18, 2022** The Town Board adopted the shoreline repair and replacement policy to address the need for a streamlined approach to control degradation of the lake by failing seawalls and docks.

The Shoreline Committee has met six times and included special focus group meetings scheduled:

**August 11, 2022** Design professionals

**September 22, 2022** Contractors

**October 25, 2022** NYSDEC, NYSOGS, City of Syracuse Dept of Water

The committee met an additional six times (November 16, 2022, December 12, 2022, January 18, 2023, February 9, 2023, February 15, 2023, March 2, 2023)

**March 6, 2023** Town Board authorized Paul Olszewski to compute the centerline of Skaneateles Lake in the Town of skaneateles.

**March 8, 2023** Focus Group of Contractors, Resident, Design Professionals

**March 14, 2023** an additional meeting to discuss finding and to schedule the public information meeting before drafting code.

**March 29, 2023** Public Information Meeting

The committee met an additional three times (April 20, 2023, May 10, 2023, May 24, 2023)

Initial Draft presented **June 3, 2023**

Met with Sheriff Dan Pace on July 14, 2023 regarding moorings.

Additional committee meeting on August 2, 2023

Presented second draft on **August 7, 2023**

**August 21, 2023** Town Board Introduction

Corrected draft on August 24, 2023 (minor corrections)

**September 25, 2023** Town Board Public Hearing

This was referred to the Town Planning and Zoning Boards and the Onondaga County Planning Board. The Onondaga County Planning Board responded that this can be acted on solely by the Town of Skaneateles and they had no objections. The Board had received a comment from Architect Bob Eggleston. With these comments he noted that he thanked the Town Board for revisiting the legislation and listening to the concerns of the public.

Councilor Alexander commented that the Board looked into this closely after the comments from the public. The committee met with stakeholders from the community, New York state agencies, the DEC and the city water department as well as residents of the community. She thanked Councilor Tucker for taking the lead on this as well.

Supervisor Aaron stated they had met with the agencies that have legislation on the lake to coordinate the permitting process around Skaneateles Lake. It is not just the Town of Skaneateles that requires permits on Skaneateles Lake.

Councilor Legg stated the Town is not permitted to change the permitting process of these other agencies. There could be multiple permits required depending on the nature of the project. The Town does not have the authority to override these other agencies.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the public hearing was opened. Supervisor Aaron asked if anyone would like to comment.

**Mark Potenza, East Lake Road:** Mr. Potenza asked the Board to clarify that the Governor requested this to be done.

Supervisor Aaron stated the Town requested this of the State. There had been some concerns over boat houses at the end of docks, and the Town did not have any authority of the shoreline.

Mr. Potenza asked if there had been some concerns about structures that would have been impacted over the last couple of years when the Town did not have jurisdiction? He stated he had seen some very appealing offshore structures. Would these have been allowed with the new legislation?

Supervisor Aaron stated this would be difficult to comment on without know the project.

He stated there are 2 subjects in the legislation that speak to “boat houses” and “covered boat structures”. There are some covered structures that look very tidy around the lake. There is a size difference in these structures as detailed in the legislation. Why is there a difference in the square footage. The other question was about the “perimeter”. He was uncomfortable out on his boat at night because there are lot of boats and moorings that are not lit at least 100 feet from the shoreline. He stated this is a safety concern. Does this address this issue? Does this legislation address where boats, docks or even swim platforms can be moored?

Councilor Tucker stated the Office of General Services and the NYS DEC had jurisdiction over moorings and this proposed legislation just followed New York State regulations.

Attorney Smith reviewed the water perimeter dimensions in the legislation, which stated a maximum of 400 square feet and the maximum distance from the shoreline-based on the contour of the shoreline. There are provisions for a variance if the dimensions need to be increased. This is the same maximum distance as the New York State rules. The purpose of this is to increase safety in terms of navigation. The intention was not to create a new requirement but to alert people to the State regulations and give the Town the ability to enforce the regulation.

Mr. Potenza reviewed more of his concerns regarding the boats and moorings outside the perimeter.

Councilor Alexander asked what the mechanism would be if a mooring or structure was considered too far outside the perimeter.

Planning Secretary Barkdull stated moorings are regulated by the New York State Department of Parks and Recreation. The Sheriff's Department works with them to determine location. If there was a concern about safety the Sheriff's Office should be contacted since they would be the ones to enforce the regulations.

Councilor Tucker stated moorings would stay under the jurisdiction of the Sheriff's Department.

Councilor Legg stated the Town of Spafford is also in Onondaga County therefore they would have the same regulations and follow the same procedures.

Councilor Tucker stated this legislation is only for the Town of Skaneateles. The Village of Skaneateles and the other municipalities around the lake would have their own legislation. He also stated the Town of Skaneateles had zoning on the lake in the past. We are now asking to bring it back. This proposed legislation is not as strict as it was in the past.

Mr. Potenza stated, limiting the distance you could put something out in the lake seems to make sense. Councilor Alexander stated there are areas on the lake that are shallow, and boats need to be moored farther offshore and there is a procedure to get a variance.

Attorney Smith reviewed the Planning Board's authority over Special Permits and the incidents that would need a bigger perimeter. The additional legislation is for covered structures in this draft.

Mr. Potenza questioned the 300 square foot maximum for a covered structure. Was that large enough to cover a boat?

Councilor Tucker thanked Mr. Potenza for his comments, this is what the Board wanted so they could continue to look at this legislation.

**Holly Gregg:** Mr. Gregg stated he was just listening tonight but is concerned about all the development around the lake and he is grateful to the Town Board for looking at this. He and others who have grown up in Skaneateles are concerned about all the development and the boats on the lake. It has become a battle to preserve the view and safety issues are a big concern. He stated the way he understood the legislation is that docks are attached to the land and the Town does have some jurisdiction on this. Does that not give the Town the power to dictate what these structures would look like or are you handing it all to the state.

Attorney Smith stated in the past the Town had very little jurisdiction on the water. The State legislation Supervisor Aaron described now gives the Town the ability to propose land use. This represents the State granting us this jurisdiction and allowing the Town more oversight on the lake.

Councilor Legg stated that yes, this addressed Mr. Gregg's concerns and gives the Town the ability to not allow some of these structures.

Councilor Dove stated this is only pertaining to permanent structures and not seasonal structures.

Attorney Smith stated originally this legislation regulated seasonal structures and that had been removed in this draft.

Mr. Gregg stated he was concerned about these large permanent structures on the lake. We are losing the lake's natural gifts.

Supervisor Aaron stated this is why the Town chose to request the special legislation to try and control some of this development.

Mr. Gregg asked what the largest dock would be allowed. Attorney Smith reviewed the dimensions for permanent docks and the procedures, building permit compared to a site plan review with the Planning Board.

Mr. Gregg thanked the Board.

**Dessa Bergen:** Ms. Bergen stated she did not have property on the lake in Skaneateles, but she does have lake property in the Town of Spafford and Spafford would have similar legislation to Skaneateles. She stated she had a permanent dock about 40 feet into the lake and when there are boats on the dock it cuts off their view of the lake. Structures should be allowed on the shore and not at the end of a permanent dock.

Ms. Bergen reviewed pages 8 and 9 of the draft legislation about permanent structures. It stated there could be a dock 100 feet long. That is really far out into the lake. Section 5 talked about roof covered structures (covered boat lifts and houses). Does this mean there could be boat houses out on the lake? Structures should be allowed only on shore.

Ms. Bergan stated she was hoping the Board would prohibit uses such as structures at the end of docks. Years ago, there was an application for a boat house at the end of a dock in Mandana and the residents were not in favor of this type of structure. This did not happen but if it did the neighbors would want to do it too.

Councilor Legg stated in the definitions it stated “Boat Houses” are onshore structures. Attorney Smith stated you would need a Special Permit for a boat house or permanent covered structure.

Attorney Smith stated this was covered in the draft, it stated boat houses were to be onshore and covered structures could be on a dock. There is also an additional layer of approval for a permanent dock of 100 feet, it would have to go to the Planning Board for site plan approval.

Ms. Bergan stated if these were prohibited it would not have to be decided by the Planning Board.

Ms. Bergan stated the draft legislation was hard to follow the way it was written; it is a lot of information.

Ms. Bergan thanked the Board.

Planning secretary Barkdull clarified that applicants with docks of 100 feet would have to show cause to have that long of a dock, such as water depth of less than 10 feet.

**Sue Dailey:** Ms. Dailey stated boat houses should be closer to the shore and she agreed with Dessa Bergan. She reviewed her concerns of the long-term soil erosion of smaller permanent docks that did not need Planning Board review and would there be any monitoring of the impact on the lake.

Attorney Smith stated there is a limit of one dock per lot.

Mr. Potenza stated there are some studies that say temporary docks cause more erosion and disturbance of the lake.

**Mary Menapace:** Ms. Menapace commented that she did have concerns about build out into the lake but that is not what she would like to comment on. Her concern was regarding the section on “shared lake frontage”. You only need 15 feet to share access? This is the same as the Town of Niles legislation, but Niles only needed 10 feet of frontage for shared access. She is beseeching the Board to relook at the shared lake frontage section. There are better laws such as Spafford’s zoning on the lake. In Spafford you cannot share the lake frontage. The owner could apply for a variance. She stated she was on the Zoning Board of Appeals in Spafford and if the applicant had cause and the neighbors did not have a problem with the shared access it could be granted.

The Town of Skaneateles allows shared access with 15 feet and a certain amount of land as permitted use. You are opening up your Planning Board to lawsuits. You should not allow shared access, that would limit development on the lake. Skaneateles should consider not allowing shared lake access.

Attorney Smith stated the shared lake front is not part of this Shoreline Draft. He encouraged her to speak to Planning Secretary Barkdull and Planner Howard Brodsky for all the information on shared lake access in the Town of Skaneateles Zoning Code. The shared lakefront section of the Town zoning is referenced in this draft legislation, but it is not being changed at this time.

Ms. Menapace stated it is part of these shoreline legislation, this is not clear.

Karen Barkdull stated this was not changed in this draft, the definition was added to the shoreline draft, but this had been in place in the Town Zoning Code for over 20 years.

**Walter Benson:** Mr. Benson commented on the section that talked about minor offshore structures regarding seasonal docks 300 square feet or less, one mooring, two seasonal boat hoists and one swim platform. How does this work with a shared lake front?

Councilor Legg stated yes, this is all that would be allowed on the new shared lakefront, it would not affect any of the current shared frontage properties.

Mr. Benson stated he was concerned that the proposed legislation might send the Town down the unintended consequences path. For example, where does a kayak rack fall?

Councilor Legg reviewed the onshore structures. Attorney Smith stated they could add kayak racks to the allowable structures. Should kayak racks be considered a structure?

Councilor Dove stated the legislation is difficult to follow and we need to work on that.

Mr. Benson asked if it is the intent of the Board to vote on the proposed Local Law tonight.

Supervisor Aaron stated no, the Board had not received any comments from the Planning or Zoning Board. And, the Board wanted to review all the information gathered at this public hearing.

**Mark Potenza:** Mr. Potenza asked if the Board could add something regarding the distance of boats and docks and the safety hazards it can cause if too far out in the lake. He did not understand why should be only in the Onondaga County Sherriff's jurisdiction.

**Bob Eggleston:** Mr. Eggleston thanked the Board for listening to the public and making changes to the proposed draft from the last public hearing. He appreciated the Town recognized that they needed to relook at the legislation and talk to the stake holders. Zoning is about balancing property rights and safety. It is important to get it right.

Mr. Eggleston reviewed page 1 of the proposed draft legislation. He asked if the list in section (ii) was a list of just onshore structures or all structures. With that comment he said then you would have to review the dimensional limits in section (iii). He stated he thought that these dimensions had been the same for the past 20 years and now they would apply only to the onshore structures. The offshore structures are based on science and shallowness, it is not based on how many feet of lake rights you have. He suggested this be cleaned up and have section 2 list all the structures and section 3 could be the onshore structures. This should be revisited.

He stated in section 3 he assumed this would be meant for “onshore structures”, but it stated, “shoreline structures” This was discussed with the Board and Attorney Smith and would be looked at with the committee.

Mr. Eggleston stated if a property had 200 feet of lake frontage you could have a maximum of 800 square feet of structure for every 200 feet of lake frontage. He stated the Board should consider pro-rating these figures for large lots over 200 square feet.

Mr. Eggleston reviewed section (b) on page 2, and he suggested boat hoists and boat slips should be added to other shoreline structures. These should go to the Planning Board.

Attorney Smith stated they were not treating a boat hoist as a structure. Mr. Eggleston stated it should be listed as a covered structure. Attorney Smith stated they would look at this section.

Mr. Eggleston reviewed more onshore structures such as sheds. Certain areas on the lake are along a cliff with stairs and there should be a shed to allow for storage of life jackets and safety gear. So, people do not have to go up or down the steep stairways. This could be an additional approval by the Planning Board.

Mr. Eggleston stated his concerns over large lots and how limited they are. The Planning Board should be looking at these applications to determine what is appropriate.

Mr. Eggleston reviewed section (iv) and stated this discussion of setbacks was too vague, is it at the low or high-water mark? Deeds go to the mean low water mark.

Mr. Eggleston thanked the Board for hiring a professional surveyor and having a survey of the lake done that has the center line of the lake, so everyone is working with the same center line. This map should be given a full page in the legislation.

Mr. Eggleston reviewed page 7 section (b) and stated the diagram regarding the “Height and Depth of Lake Managements” should be made clearer and larger.

Mr. Eggleston reviewed on page seven, (d) (ii) this section reviews the maximum structures, and this should be under the Planning Boards’ description and should not have to go to the ZBA. The

Planning Board is looking at these projects on a more scientific level at this part of the review process.

On page 8 he reviewed section (iii) (b), the maximum number of docks. The Planning Board should be able to consider more than one dock on lots larger than 200 feet of lake access. Attorney Smith stated these applications could go the Zoning Board of Appeals for a variance. Mr. Eggleston stated the goal should be to write a law that does not rely on the ZBA. The Planning Board has a better handle on the science.

Councilor Legg stated the State had provided guidance that the Town is trying to add to the Shoreline Legislation.

Mr. Eggleston stated larger lots should be allowed more so as not to encourage these larger lots be subdivided into smaller lots.

Mr. Eggleston reviewed the easements on lake properties. The Planning Board should be allowed to consider the water perimeter be split between the lot and the easement area and not have the applicant apply for a variance again. The Town of Skaneateles Planning Board is a sophisticated board, it is not a “give away” Planning Board, they look at things right and you should trust them.

Mr. Eggleston reviewed the “Definitions”, he stated the “Boathouse” definition is in conflict with other sections of the Town Zoning here it stated at least 10% of the boathouse is to be on land. This definition says a boathouse is a permanent onshore structure.

Mr. Eggleston stated on page 4 in the “Definition” section the “Water Perimeter and Structures Setback Illustration” is drawn wrong. This should be corrected. He stated Paul Olszewski did an excellent job on the survey of the lake and should be added as a full page with this illustration.

**Jim Meyers:** Mr. Meyers asked the Board about shared lake usage on page 9. There is a reference to pre-existing common ownership. Can you give me a date when this was originally zoned, when was the original zoning enacted.

Attorney Smith stated he would look into when the zoning was originally enacted on the lake.

Mr. Meyers asked if written comments could be submitted. Supervisor Aaron stated yes, written comments could be submitted to the Town Clerk.

Supervisor Aaron stated the Board would not be making a final decision tonight. They would review the public comments and the comments from the Planning and Zoning Boards when they are received. With the comments received there would be a significant change to the draft legislation therefore the Board would schedule another public hearing when new draft legislation was prepared.



Mr. Meyers asked about the shared lake usage and the moorings that had been permitted by the State. Attorney Smith stated moorings are regulated by the state, but if you wanted more than allowed you would have to get a variance. Attorney Smith reviewed the legal factors to apply for a variance. The State only looks at navigation safety, the Town also looks at land use.

Mr. Meyers asked if they had a permit from 1968, would they now have to get a variance for these moorings?

Attorney Smith said if it was pre-existing, they would not have to reapply. There is a section for existing shared use mooring fields that were previously permitted by the state and they are exempt. He reviewed page 11 in the draft legislation that reviewed mooring fields.

Mr. Meyers asked if there was a request to the state to expand the permitted mooring filed, would that be allowed by the Town. Attorney Smith stated they would need to apply for a variance to add moorings to a preexisting permitted mooring field.

**Alan Mathelis:** Mr. Mathelis asked since this legislation is not in effect you could add moorings to a mooring field with State approval until new legislation was adopted.

Attorney Smith stated technically, yes.

The Board agreed to close the public hearing at this time. With the number of comments and with the Board waiting for the comments from the Planning and Zoning Boards another public hearing would be scheduled when the legislation was updated by the committee and resubmitted to the Town Board for review.

On a motion of Councilor Alexander, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the public hearing was closed, with the public comment period kept open and to refer the draft Shoreline Legislation back to the Shoreline Committee for further review.

**Town of Skaneateles Volunteer Pins:** Supervisor Aaron stated the Board would like to order pins as a token of appreciation for our volunteers at the Swap Shop.

On a motion of Councilor Alexander, seconded by Councilor Legg and with unanimous (5-0) affirmation of the Town Board, the Board authorized the purchase of 100 pins from Pin Mart for an amount not to exceed \$300.

**Appoint Aimie Case Fulltime Clerk I/2<sup>nd</sup> Deputy Town Clerk – September 27, 2023:** Supervisor Aaron stated Aimie Case had been a great addition to the Town Hall staff. She started part time as clerk to the accessor in September of last year. She had taken on the additional duties as the Zoning Board of Appeals Secretary and 2<sup>nd</sup> Deputy Town Clerk. The Town Board had budgeted for a full-time position and would like to appoint Aimie Case to this full-time position.

Town Clerk Stenger stated with the probability of Tax Collection coming to the Town Clerk's Office Aimie will take on that roll as well, this would combine with the assessor's office well. Ms. Stenger stated Aimie had been doing a great job and was looking forward to having her fulltime.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board, the Board authorized the appointment of Aimie Case to the fulltime position of Clerk to the Assessor/Clerk I and 2<sup>nd</sup> Deputy Town Clerk at an hourly wage of \$21.63 to start on September 27, 2023.

**Announcements/Correspondence/Updates**

*Cornell Cooperative Extension Education Programs:* Supervisor Aaron announced Cornell Cooperative Extension would be having their educational programs during September and October and they would be posted on the website.

**Public Comment:** Eric Sell, town resident, commented regarding the incidents on the Charlie Major Nature Trail. Last Thursday at about 10:00 a.m. his fiancé was approached by a person that had their pants down and chased her on the trail.

Mr. Sell stated he had lived here his entire life and had always felt safe in this community. This was the second occurrence on the trail, and he is concerned. He asked the Board and the community to be aware of what is happening and any additional presence or surveillance on the Nature Trail would be appreciated by the community.

Supervisor Aaron stated they had contacted Town Constable David Wawro and he would be walking the trail and they would continue to monitor the trail and work with the Sherriff's Department and Village Police.

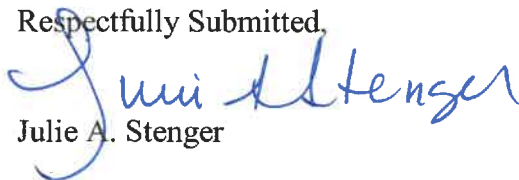
The Board thanked Mr. Sell for coming to the Board, it is important for the community to be aware and to remind people if you "see something, say something".

Councilor Legg reported the shredding event at the Transfer Station on Saturday September 23<sup>rd</sup> was a success.

Aimie Case thanked the Board for the opportunity to work full time for the Town of Skaneateles and she is looking forward to working with the departments and the Boards.

On a motion of Councilor Dove, seconded by Councilor Tucker and with unanimous (5-0) affirmation of the Town Board the meeting was adjourned at 8:45 p.m.

Respectfully Submitted,

  
Julie A. Stenger

Town Clerk