TOWN OF SKANEATELES PLANNING BOARD
MEETING MINUTES
September 15, 2015

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

Chairman Tucker opened the meeting at 7:30 p.m. The meeting minutes of August 18, 2015 were previously distributed to the Board and all Members present acknowledged receipt of those minutes.

> **WHEREFORE,** a motion was made by Chairman Tucker and seconded by Member Winkelman to approve the minutes as corrected. The Board having been polled resulted in the unanimous affirmance of said motion. Member Southern abstained due to his absence at the last meeting; Member Estes abstained, as she had not reviewed the minutes.

RECORD OF VOTE

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

Public Hearing –Subdivision

Applicant:

Kenneth Karlik	Property:
4186 Summit View Drive	1837 West Lake Rd
Marcellus, NY 13108	Skaneateles, NY 13152
	T**ax Map #061.-01-16.1**

Present: Gail Brewer, Representative, Williams Realty

No one wished to have the public notice read. The Onondaga County Planning Board stated that the proposal would have no adverse implication in their resolution dated August 19, 2015; however commented that the OCDOH must formally approved any proposed septic system for

lot 2, and that the Town consider the potential long term effect of subdivisions creating new residential lots.. The City of Syracuse Department of Water has not commented on the proposal.

An updated site plan was submitted reflecting the location of the existing watercourse dated July 15, 2015. Chairman Tucker commented that the proposed location for lot 2 is flat and conducive to farming, and queried if the applicant had considered moving the location to the east of the existing lot where the land slopes, where it could be ideal for a walk out basement. Ms. Brewer stated that the applicant would be continuing the farming on the remaining 100-acre parcel that has the best cropland. The last subdivision was for a two-acre lot on Heifer Rd in 1984. Member Winkelman commented that there is a gorgeous view for the proposed lot 2 towards Heifer Road, and inquired if the land was on the SAVIT list for view sheds. . Member Estes inquired if there would be an addition review at time of development if the lot were subdivided. Mr. Brodsky stated that if the lot subdivision is granted and the lot is then developed complying with all Town regulations, it might not need additional review by the Planning Board. Mr. Molnar stated that the protected views are from West Lake Road facing east and north across the Bradley property, and the proposed lot is not in that area.

Chairman Tucker inquired if a driveway permit has been obtained. Ms. Brewer stated that the applicant has obtained a permit. Member Winkelman commented that the Town wants to preserve farmland and preserve views. Chairman Tucker commented that the proposed lot is viable farmland and he would like to possibly see the lot developed in the area to the east of the existing residential lot on Heifer Road. Member Estes stated that relocating it there could block the views for the existing lot. Chairman Tucker commented that the existing lot is heavily treed. Ms. Brewer stated that the applicant chose the location to the west of the existing residential lot as the farm equipment is usually to the east of the residential lot.

At this time Counsel Molnar 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:

> **WHEREFORE**, a motion was made by Chairman Tucker and seconded by Member Estes to consider the proposed action as an Unlisted SEQR action and subject to SEQR review. The Board having been polled resulted in the unanimous affirmance of said motion.

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? Small-view shed and removing farm land out of production	X	
2. Will the proposed action result in a change in the use or intensity of use of land? Small removing farm land out of production	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? Small	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 Kasper and seconded by Member Southern to declare this application to be an Unlisted Action, and after review of the SEQR short environmental assessment form, determined that the proposed action will not result in any significant adverse environmental impacts. The Board having been polled resulted in the unanimous affirmance of said motion.

At this time, Chairman Tucker opened the Public Hearing and asked if there was anyone in favor of the project. No one spoke in favor of the project. Chairman Tucker asked if there was anyone wishing to speak in opposition, or had any other comments. Mr. Dean, neighbor adjoining to the east, read a letter of opposition to the project expressing his concern for the drainage and animal waste near his property. He continued stating that the animal waste washes into the brook on the property. Both the City of Syracuse and the Skaneateles Lake Watershed Agricultural Program have had limited success in resolving the issues. Mr. Dean stated that he had corrected his runoff problems on his property. He continued stating that the applicant had been given a grant for the repairs based on the number of cattle (20-30 head) raised on the property. The Karliks had received $100,000 to protect the watercourse and correct situations that adversely contribute to it. They did install a bridge over the creek to stop the cattle from crossing through the creek and other minor revisions. Member Estes inquired if the Town has a copy of the agreement. She also recommended that the decision on the subdivision request be delayed until there is sufficient time to review the documentation once it is obtained.

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

Chairman Tucker stated that he would contact the Skaneateles Lake Watershed Agricultural Program regarding the agreement. Member Estes suggested that the application be re-sent to the Onondaga County Planning Board as they seem to rubber stamped their approvals time after time..

<u>Continued Review –Site Plan Review</u>

Applicant Theodore & Nancy Norman
8665 Duarte Road
San Gabriel, CA 91775

Property:
1992 West Lake Road
Skaneateles, NY 13152
T**ax Map #058.-01-17.2**

Present: Robert Eggleston, Architect; David Lee, Builder;

The ZBA had denied both of the requested setback variances for the driveway, and as such, a revised site plan dated September 2, 2015 has been submitted. The revised site plan has a conforming driveway located 20’ from the north property line with the driveway entrance located 100’ from the southern watercourse. A grading plan was completed with a proposed underdrain along the driveway beginning in front of the garage and running along the north side of the shared driveway then feeding into the rain garden. The rain garden then drains through the

underdrain to the steam. The existing culvert from the existing driveway will be removed. The site plan includes the proposed silt fence that will be installed prior to construction and there will be a total of 2500SF in disturbance for the project.

Mr. Eggleston stated that as allowed under 148-12C5, they are allowed to rebuild without a variance or special permit on the exact same footprint. The existing dwelling is 54.5' from the watercourse, and the proposed rebuilt structure will be 57.6' to the watercourse. The proposed footprint in the rebuild area is 345SF less that the existing footprint. The first and second floor area is 248SF smaller than the existing house with the basement 280SF smaller than the existing house, and the decks and porches will be 238SF smaller that the existing. The rest of the proposed dwelling is within the currently approved areas conforming to all setbacks. He continued stating that the proposal was accepted by the Codes officer, zoning clerk and the attorney in reviewing this prior to submittal of the application.

Member Southern inquired if the tear down and rebuild is not exclusively within the conforming building envelope. He continued stated that as it is a complete tear down you could completely design into the building envelope whether you want to or not. Mr. Eggleston stated that they could have built a big long boxy house. Member Southern stated that the applicant is not taking advantage or re-building in the envelope. Mr. Eggleston stated that they are taking advantage of the rules of the Town code that allows us to do it and they have the right to it. Member Southern stated that if you build on the existing footprint, not a partial, but a full build on the existing footprint, he would agree. Member Eggleston commented then the law needs to be rewritten.

Member Kasper inquired if the terrace is outside of the 100FT watercourse setback. Mr. Eggleston stated that the terrace is a separate structure under 600SF that is allowed to be 50FT from the watercourse, and it is proposed to be located at 81FT to the watercourse. Member Winkelman stated that he approved of the use of the rain garden and underdrains to control stormwater runoff. Mr. Camp recommended that a parallel swale in lieu of the underdrain for the stormwater management as underdrains have a propensity to get clogged and tend to not working with a hard rain. The gradual swale of a half foot to one foot deep north side of the driveway tied all the way back up to the main road was suggested. Mr. Eggleston stated that they would stay 15 feet away from the septic area.

Member Kasper inquired if the grading below the house and the creek would be changed. Mr. Eggleston stated that it would not be changed, as they are a lot of existing lawn. Member Kasper inquired on the design of the downspouts, as there is a lot of roof on the proposed dwelling. Mr. Eggleston stated that the north side of the dwelling stormwater would be tied into the rain garden, and the southern half of the dwelling would not be placing more water onto the lawn than what is already occurring. Chairman Tucker commented that the water sheets across the lawn. Mr. Camp stated that it is better to have the stormwater sheet across the lawn than go directly to the rain garden. Mr. Eggleston stated that he would have the downspouts feed directly to the lawn.

Member Estes stated that she would like to take exception to a comment that was made in that the proposal was accepted by the Clerk, Codes officer and Attorney before it came to the Planning Board and Board of Appeals and what that means. Mr. Molnar commented that the applicant consulted the codes enforcement office, the planning office and my office on how to frame the application before it is submitted to do their best to submit the most complete application that conforms to the code as best as possible to the boards for approval. It does not imply any approval that governs and therefore is jurisdictional and replaces the Planning Board

approval for a special permit of site plan approval. 148-12C5 references sections C2 through C4 compliance in order for section C5 to allow the rebuild of a nonconforming structure on the same footprint without a special permit or variance. C4 limits the amount of expansion to 500SF and 5000CF of volume, and then inquired what the amount of expansion the applicant is proposing. Mr. Brodsky clarified that the expansion is all in the conforming area of the lot. This is typically applied to a clearly more defined non-conforming set of circumstances, and this applicant is not a clear-cut measurement. In the nonconforming portion of the site the proposed replacement, structure is less that the existing structure, but the proposal adds on a lot more in the conforming section. Member Estes commented that she is not comfortable with breaking up the lot into conforming and nonconforming segments. She continued stating that there is a clear and clean building envelope area that the dwelling could be located. Instead, the regulations are being piecemealed into the parts that the applicant likes. The building envelope was established to direct the area in which an applicant could rebuild and that was the intent at the time of the establishment of the subdivision.

Chairman Tucker stated that it took time to obtain land to offset the impermeable surface coverage, where other people come before the Board and just pay into the fund. Member Estes stated that that was based on the building lot that the Board gave them. Chairman Tucker commented that the applicant could put an addition on the existing dwelling. Member Kasper inquired what the Town gains by the dwelling located only in the building envelope. Member Estes stated that it would be conforming to the watercourse setback. Member Kasper stated that there are mitigating factors to allow the rebuild over the existing footprint. Member Estes stated that if they build in the envelope only there is no need for any mitigation. Member Winkelman stated that they did put the lot across the street into conservation. Member Kasper stated that they are re-stabilizing the stream bank. Member Estes stated that that was determined beforehand.

Mr. Eggleston stated that he takes offence to Member Estes prior comment. The process for an application begins with the codes office to determine the zoning process required, the Planning Board does not have the power to reverse. The process for determination was completed and the Planning Board gets to review the site plan for construction within 200 feet of the watercourse and construction of a house greater than 2500SF. The Board has to look at the overall project and this applicant has gone out of his way to spend over $200,000 for an erosion control project on the stream remediation. The open space subdivision that was created has an overall impermeable surface coverage of 4.5% and at the same time putting vulnerable land into conservation further up and not getting caught up in a few small interpretations.

Member Estes stated that the setback to the watercourse is not irrelevant. As part of the total package at the formation of the open space subdivision, the Board created the building envelope because the Board though it was right to do. Mr. Brodsky stated that this is an open space subdivision with conservation land across 41A added to facilitate the subdivision, as the land east of 41A was insufficient to subdivide. Member Estes stated at the same point in time they established the building envelope that meets the setbacks, and now you have someone who wants to ignore those guidelines and build where they want.

Mr. Eggleston stated that a formal review was done with the zoning officer and it does not say that we cannot rebuild in that area. A copy of the review was given to the Board members. Member Southern stated that opinions rendered outside of this Board are mute. Regardless of what the applicant has been advised, the Planning Board grants approval on projects. Mr. Molnar stated that only the Planning Board could grant site plan and special permit approval. To the

extent that the zoning office, the codes office with anyone is input including my input as counsel, assist in terms of framing the application so that it can be submitted for a site plan or special permit helps in terms of efficiency and does not impart approval.

Mr. Brodsky stated that a pre-application meeting is a pre-screening of the application, it helps with the structure of the application so that it can be well submitted for the Planning Board review of the application.

Member Estes commented that accordingly, the Planning Board could deny the approval because the construction is not within the building envelope. Member Kasper stated that the zoning law allows them to rebuild in the same footprint. Mr. Molnar stated that he could rebuild within the same footprint within the confines of 148-12C5. Member Estes stated that he could use the existing footprint or he can use the building lot, but he wants to use both. Mr. Brodsky stated that 148-12 concerns pre-existing nonconforming lots, but the complication of this application was that a subdivision was created on top of two existing structures and navigated around those existing structures with lot lines and building envelopes adjusted after the structures were placed. The building envelope was established after structures were already on the land and that is not common. Building envelopes are usually established on vacant land. He continued stating that on one had you two parcels that are nonconforming; however, they mitigated the nonconformity by moving lot lines to accommodate future development on these lots and that are how the building envelope was established. If redevelopment were to occur on this particular lot, it would occur inside that building envelope. Member Kasper stated that in every project, there is some form of mitigation and the applicant is mitigating by building inside the building envelope and by the watercourse erosion control. Member Estes stated that you mitigate when you do not have another choice and that you do not need to mitigate on this proposal.

Mr. Eggleston stated that he would like to point out that when the water flows it flows over 100FT from the watercourse as the land does not slope towards the watercourse. Member Kasper commented that the money the applicant is going to spend on the corrections of the stream bank is more important than anything else is being discussed here. The way it is eroding is putting tons of silt into the lake. Member Winkelman stated that the open space subdivision with the extra property acquired for conservation makes a better environment for the lake. Member Southern stated that that the open space subdivision made this lot possible with the building envelope. Chairman Tucker stated that it was not clear in the minutes and that there are two building envelopes, the existing and the new one. Member Estes stated that there is one when the lot is redeveloped as the existing one disappears.

Mr. Eggleston stated that if the Board is looking for alternatives, then 500SF could be added to the existing garage and 500SF could be added to the existing dwelling. However, the applicant has designed an attractive home that is right for the lot provided enough mitigation to make this appropriate redevelopment for this property. The applicant is going above and beyond taking responsibility for a watercourse that should be part of a drainage district.

Member Winkelman stated that the Board needs to be more flexible when working with an open space subdivision. Member Estes stated that they did that at the time of the subdivision that allowed them to get the building envelope. Member Winkelman stated that they could not have anticipated everything when the subdivision was formed. He inquired if the Normans have considered merging the two properties. Mr. Eggleston stated that merging the lots does not solve the watercourse issue

Mr. Camp stated that an additional mitigation to the water course setback and further enhance the watercourse protection is the addition of a cut off swale installed north of the watercourse and diverted across the lawn to the rain garden. . Member Winkelman stated that it would run across a different property. Member Southern stated that if that is done then you hare offering people opportunity to exceed setbacks. Mr. Camp stated that the setbacks are already in place but the mitigation would control the sheet flow. It would give it a longer course to flow to a treatment facility that would be beneficial. Member Estes stated that if the development was in the building envelope, the drainage would do the same thing.

Mr. Eggleston stated that the only reason for the 100FT watercourse setback is the presumption that you have a straight course of water flowing from the structure to the watercourse. That does not existing currently because of the grading.

Mr. Molnar inquired if the Board is proposing that the applicant to modify that plan and re-submit with some changes in order to extend this application for review into next month's meeting. The Board has options of whether to approve or reject the request for site plan approval. To the extent that the new addition is increased by more than 500SF to the existing dwelling, requires it to have special permit approval and a public hearing. The expansion cannot exceed 25% of the total floor space as determined as existing on January 1, 1996. The numbers will need to be calculated.

Member Estes requested clarification on what we are taking to public hearing. Mr. Eggleston stated that the applicant is willing to go to public hearing with the minor alterations the engineer had suggested. Member Estes stated that she would like the applicant to submit a revised application with the development located only in the building envelope. Mr. Eggleston stated that the applicant would like to proceed with the existing site plan. Mr. Molnar stated that provided that it does not exceed 25% expansion of the existing total floor space.

> **WHEREFORE,** a motion was made by Chairman Tucker and seconded by Member Winkelman to schedule a public hearing for the site plan dated September 2, 2015, on ***Tuesday, October 20, 2015 at 7:45 p.m***. The Board having been polled resulted in the affirmation of said motion.

RECORD OF VOTE

Chair	Mark J. Tucker	[Yes]
Member	Joseph Southern	[Yes]
Member	Donald Kasper	[Yes]
Member	Scott Winkelman	[Yes]
Member	Elizabeth Estes	[No]

Mr. Eggleston stated that updated plans would be submitted that incorporates the engineering recommendations for drainage. Mr. Molnar stated that if the proposal exceeds the 25% expansion of the existing total floor space as determined on the existing structure of January 1, 1996, then a special permit cannot be granted. Mr. Eggleston stated that he would let the Board know if the application will be a special permit of the existing plan or if it would a different plan.

Sketch Plan- Special Permit

Applicant	Michele Gardner	
	Jessie Carbone	Property:
	8155 West Ivy Trail	1410 East Genesee St

Baldwinsville, NY Skaneateles, NY 13152
T**ax Map #042.-01-11.0**

Present: Michele Gardner, Applicant

The applicants are proposing to use the front portion of the Hood building for a cross-fit gym. It will be one room and include one garage door bay. The building was the location of the former Beach photography studio. There is an existing stream that runs behind the building. Chairman Tucker requested an updated survey with the impermeable and open space calculations provided. The Village of Skaneateles had approved for the change in use for the sewer use, and the property is in a water district with access to Village water.

As the submitted site plan is dated, Mr. Brodsky recommended that the applicant submit an updated site plan that reflects the space being used including a floor plan. Mr. Camp inquired if there will be any exterior modifications including additional parking. Ms. Gardner stated that they are not changing any of the exterior and that there are 24 parking spaces that will be more than enough for the gym. Mr. Brodsky requested that a narrative be provided that explains the compatibility of the use and its impact to the Village center as per section 148-8G.

Chairman Tucker inquired on the number of employees that will be working at the gym. Ms. Gardner stated that there will be a maximum of four employees (two full time and two part time), with 10-15 clients at any one time. A site visit will be conducted on October 10, 2015.

> **WHEREFORE,** a motion was made by Member Winkelman and seconded by Member Kasper to schedule a public hearing on ***Tuesday, October 20, 2015 at 8:00 p.m***. The Board having been polled resulted in the unanimous affirmation of said motion.

<u>Sketch Plan- Special Permit</u>

Applicant

Thomas Potter
8155 West Ivy Trail
Baldwinsville, NY

Property:
3173 East Lake Rd
Skaneateles, NY 13152
T**ax Map #040.-01-21.0**

Present: Dave Disinger, Representative, Hadley's LLC

Proposed is a freestanding dry constructed wall six feet back from the existing shoreline for erosion control. The measured land between the house and the lake line is 6-7' shorter than it was in 2009 due to wave action from the lake. The material being used would be pre-cast naturalized pavers with no concrete poured in place. The applicant conveyed that any conditions that are imposed on the approval will be met.

Member Winkelman inquired where the proposed wall would be in relation to the mean high water line. Mr. Disinger stated that he was not sure where the water line is but that they will dig to the level and place one full course at the waterline and built the wall up from there using a Technoblock with manufactured stones that measure 6x6 and 14x8. Mr. Camp commented that the stones are a little small for a seawall. Mr. Disinger stated that the proposed wall is not a seawall that will be built on land. Mr. Camp stated that if the erosion is happening at 6-7' every six years, then at some point it might be a seawall. Mr. Disinger stated that the DEC had requested that riprap be placed at the shoreline to mitigate the wave action. Mr. Camp stated that

some of the wall size stones that people are using on the lake are 2'x2'x4' Mr. Disinger stated that in the photos there is a picture of a neighbors natural stone wall, and the owner had asked for a particular type of wall.

Member Southern commented that it is a landscape wall. Chairman Tucker commented that it may not be heavy enough for the future. Member Estes inquired about the trees near the shoreline. Mr. Disinger stated that the trees will remain. Chairman Tucker inquired about the size of boat that will be using the boat launch area and the proposed launch composition. Mr. Disinger stated that the small boat gate would be for a rowboat size boat with the launch area maintained as lawn.

Mr. Brodsky stated that when there is a proposed wall that is within 10' of the shoreline he considers them seawalls, and based on the erosion history it should withstand future wave action. Member Estes stated that the DEC had recommended riprap at the shoreline to break up the wave action, which could stop the erosion in the area and make the proposed wall more of a decorative wall. Mr. Camp clarified that the plan does not show the riprap at the shoreline. He continued stating that limestone chunks substantial enough to mitigate wave action with rocks ranging in size from 1'-3' to provide substantial protection from both ice and wave action would be needed. He continued stating that the proposed material is not usually used for seawalls, and expressed his concern about the longevity of the proposed wall.

Member Winkelman inquired if the applicant has applied for a DEC permit. Mr. Disinger stated that copies of the proposal have been forwarded to the DEC with the coordinated engineers in Buffalo, the City of Syracuse department of water and the ACOE.

Member Winkelman stated that the Board needs to hear what the DEC has to say. A site visit will also be conducted on October 10, 2015. Member Kasper commented that the Town engineer has recommended that the stonewall be built out of bigger stone, and the Board should be provided with any specification on the stones being used. Mr. Disinger stated that he will check with his employer on what has been used in the past on the lake for this type of application. Mr. Brodsky requested that the site plan should indicate that the boat launch surface will consist of grass. Mr. Camp requested that a topography survey with a definitive lake line would be shown. Member Winkelman stated that the Town may have the topography survey on file.

> **WHEREFORE,** a motion was made by Chairman Tucker and seconded by Member Kasper to schedule a public hearing on ***Tuesday, October 20, 2015 at 8:15 p.m***. The Board having been polled resulted in the unanimous affirmation of said motion.

<u>Amendment Request –Site Plan Review</u>

Applicant

Paul & Kathleen Leone	Property:
1 South County Road	2579 East Lake Road
Palm Beach FL	Skaneateles, NY 13152
	T**ax Map #037.-01-27.0**

Present: David Lee, Allan Coffin, Representatives, David Lee & Co.

The amendment request is needed since the originally proposed location for the gazebo would encroach on the stairs to the lake. The request is to move it eight feet further to the east and

approximately .2FT further from the lake line at 36.7FT. The shed location would also be modified to 45.5FT from the lake line and 12FT further north to allow for a better view of the lake looking north from the gazebo. Member Winkelman inquired if the size of the gazebo is larger. Mr. Coffin stated that the gazebo is slightly larger, about 3 inches, due to the stone veneer that will be placed on the exterior of the buildings, with the total shoreline structures still under the maximum allowed.

WHEREAS, Chairman Tucker made a motion that was seconded by Member Estes, the Planning Board adopted and ratified its prior SEQRA determination for the Application, which was a determination that the Application constitutes an Unlisted Action with a negative declaration.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Chairman Mark Tucker, seconded by Member Joseph Southern, and upon a vote thereon as recorded below, the Town of Skaneateles Planning Board **APPROVES** amendment of the Prior Approvals, with the following conditions:

1. That the Site Plan dated September 8, 2015, prepared by Paul Olszewski, and revised narrative dated September 9, 2015 prepared by David Lee & Company, be followed in all respects; and

2. Except as modified hereby, the conditions set forth in the Approving Resolution remain in full force and effect.

RECORD OF VOTE

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

Sketch Plan- Special Permit/site Plan Review

Applicant

Micheline Yuan	Property:
8155 West Ivy Trail	3257 East Lake Rd
Baldwinsville, NY	Skaneateles, NY 13152
	T**ax Map #040.-01-04.1**

Present: Robert Eggleston, Architect

The applicant has a 2.3 acre lot with 139LF of lake frontage, and 11.5% of impermeable surface coverage. There is existing 1,268SF of shoreline structures consisting of a shed, gazebo, deck and dock. Proposed is the relocation of the gazebo outside of the 50" lake yard setback, removal of the existing shed and replacing it with a 8'x16' shed located outside of the 50' lake yard setback and 15' from the southern property line where there is an existing 15' waterline easement. The deck will be removed and replaced with a 540SF permeable patio and 60SF permeable lake access steps. The patio and steps will conform to the 600SF of shoreline structures allowed for this lot. A 100' seawall will be installed consisting of three tiers of rock with planting on the bank above. The planting beds will have a geo-grid base for stability. The proposed permeable patio will be at the 869' elevation with the top of the bank at 872' elevation.

A silt curtain will be placed in the lake during construction with the proposed seawall at the lake line, and the proposal is awaiting DEC approval.

The impermeable surface coverage will be reduced from 11.5% to 11%. The existing 700SF driveway (which represents 7% of the impermeable surface coverage) will be reduced with the removal of 590SF of driveway surface. The application is willing to contribute $2,291.26 to the Town's LDRAF fund.

Mr. Camp requested that the size of the blocks should be shown on the plans. The size of the proposed blocks is 2'x3'x1.5'. A cross section showing the block setback was also requested. A site visit will be conducted on October 10, 2015.

> **WHEREFORE,** a motion was made by Chairman Tucker and seconded by Member Estes to schedule a public hearing on ***Tuesday, October 20, 2015 at 8:30 p.m***. The Board having been polled resulted in the unanimous affirmation of said motion.

Amendment Request –Site Plan Review

Applicant

Lakelawn Properties LLC	Property:
1 Winthrop Square	3384 West Lake Road
Boston, MA 02110	Skaneateles, NY 13152
	T**ax Map #049.-02-03.0**

Present: Robert Eggleston, Architect; Peter Simpson, RZ Engineering; Kevin Stack, Builder;

An undated site plan dated September 15, 2015 reflects the modification of the stable barn area, with the change from replacement of a single barn to a grouping of three smaller barns that will be located beyond the 100FT watercourse setback. This will place all three barns beyond the 30FT side yard setback and further away from the watercourse. There will be one driveway at the front of the center building, with rear driveway access to this same building with the existing driveway and parking area. The proposed greenhouse will be moved further east to accommodate the three barns.

Mr. Simpson stated that the swale and collection point pipe was moved at a different angle that is sloped to the large detention basin but still following the same drainage patterns. The modification was needed to fit the three buildings in. Member Estes inquired on why there are three barns instead of one. Mr. Eggleston stated that it was an aesthetic choice that allows the barns to be conforming to setbacks. Member Kasper inquired on the use of the three barns. Mr. Eggleston stated that one would be used for the groundskeeper office and equipment, one for storage and one for recreation including a basketball court. There will be no living space in the buildings.

Member Southern inquired about driveways to each of the barns. The center barn will have driveway access for storage, the recreation barn will have a basketball court and will not have driveway access, and the third barn will have the groundskeeper's office. Member Estes stated that the elevation sketches show a sliding barn door on the buildings. Chairman Tucker stated that the applicant will still need to calculate the impermeable surface coverage for a potential driveway access to these buildings based on the door size. Mr. Stack stated that they are sliding barn doors that disguise regular patio doors behind the door. He also stated that there will be a small bath for the groundskeeper in the office. Member Estes requested clarification on the

number of bathrooms in the three barns. Mr. Stack stated that there would be a bathroom with a shower for the groundskeeper living area. Mr. Eggleston stated that it was his understanding that the groundskeeper will not be living there but going home at night.

Chairman Tucker commented that the work has started on the drainage plans. Mr. Simpson stated that they have had their first inspection with the City of Syracuse department of water inspector last Friday, and things are running well. Mr. Eggleston commented that they were seeding the stormwater area today. Member Southern inquired if there were any more anticipated changes. Mr. Eggleston stated no and that if there are any changes they would keep the Board informed.

WHEREAS, Member Winkelman made a motion that was 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 an Unlisted Action with a negative declaration.

Member Estes inquired about the modification to the bio-retention area. Mr. Simpson stated that the modification is shown on the submitted site plan. The bio-retention area has become more elongated and narrower to accommodate an area for a football field, and has increased the facility capacity. This modification had been reviewed by the Town engineer and the Chairman.

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Member Donald Kasper, seconded by Chairman Mark Tucker, and upon a vote thereon as recorded below, the Town of Skaneateles Planning Board **APPROVES** amendment of the Prior Approvals, with the following conditions:

1. That the Site Plan C1 through C3 dated September 15, 2015, prepared by RZ Engineering, PLLC; and Elevation Drawings A2-2 page 1 and 2 prepared by Vernacular Architectural Design dated September 3, 2015 be followed in all respects; and

2. Except as modified hereby, the conditions set forth in the Approving Resolution remain in full force and effect.

RECORD OF VOTE

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

Discussion

There will be a joint Planning Board and Zoning Board of Appeals meeting held on Tuesday, September 22, 2015 at 7 pm to discuss the comprehensive plan and zoning issues the Boards to provide better clarity to the RFP zoning analysis candidates.

Discussion

The Enclave at Skaneateles subdivision was filed with the County in 2006 with the establishment of 13 lots, including a conservation lot. That same year a homeowner's association(The Enclave at Skaneateles LLC, Inc.) was filed with New York State for the subdivision to assist with the

management of the conservation lot, open areas, etc., as required by the Planning Board The road, Sugar Maple Lane, was dedicated to the Town in 2006. A Town drainage easement was created at the time of the subdivision development. The prior developer filed for bankruptcy and several of the lots were acquired through auction. In 2009, five of the lots and the conservation lot were obtained by The Enclave at Skaneateles LLC.

There is no documentation regarding the HOA rules and bylaws on file at the Town and there are now four residents in the community. The HOA is the owner of several of the easements and the deed to the conservation lot. The HOA may have a reciprocal agreement with the owners of the lots that are in it to uphold minimum criteria. Mr. Molnar's recommendation is that he prepares a letter to the new sponsor who took possession of the majority of the lots at the bankruptcy of the first sponsor, the Enclave at Skaneateles LLC, and requests the HOA documentation. In addition, to advise them that the Town seeks, as well as the other residents in the subdivision, that all of them work cooperatively to legitimize and advance the HOA so that it does what it supposed to do according to the approving resolution of the Planning Board. Activation of the HOA so that the residents take advantage of the HOA and their responsibility to it and the HOA responsibility to the Town all as was envisioned by the approving resolution.

Member Kasper commented that the attorney general's office should have a copy of the HOA filing. Mr. Molnar stated that he can contact Peter Elliott or Paul Curtin to obtain a copy as they originated the documentation and if that fails, he will contact the attorney general's office. Member Kasper stated that the person who acquired the land out of bankruptcy is not necessarily the sponsor. Mr. Molnar stated that they are the majority land owner and would have greater voting power with a financial obligation to the HOA commensurate to their holdings.

> **WHEREFORE,** a motion was made by Member Estes and seconded by Chairman Tucker to authorize the Planning Board attorney to obtain the HOA establishment documents for the Town as the Town has a vested relationship with the HOA regarding the drainage and other easements. The Board having been polled resulted in the unanimous affirmation of said motion.

Discussion

Applicant:

Paul Christou
2854 East Lake Road
Skaneateles, NY 13152
Tax Map #038.-01-08.0

Paul Goldmann
2886 East Lake Road
Skaneateles, NY 13152
Tax Map #036.-01-37.2

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

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

Member Winkelman inquired on the status of the Christou/Goldman approval. In regards to the NYSDOT work that was required on the Goldman property, the NYSDOT required a surety bond and it is up to the NYSDOT to enforce it as it is in their right of way. Chairman Tucker contacted Justin Marchuska who had informed him that he had given his deposit for the roadwork to the Goldmanns. Member Winkelman will contact the OCDOH verifying the location of the septic fields on the Goldman property. The Hidden Estates driveway is still underway with an order to remedy in place.

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As there was no further business, a motion was made by Chairman Tucker and seconded by Member Winkelman to adjourn the meeting. The Board was in unanimous affirmance of said motion and the meeting was adjourned at 10:12 pm.

Respectfully Submitted,

Karen Barkdull, Secretary/Clerk